

Sunshine Act Meetings

Federal Register

Vol. 59, No. 224

Tuesday, November 22, 1994

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

NATIONAL TRANSPORTATION SAFETY BOARD

TIME: 9:30 a.m., Tuesday, November 29, 1994

PLACE: The Board Room, 5th Floor, 490 L'Enfant Plaza, SW., Washington, DC 20594

STATUS: Open.

MATTERS TO BE CONSIDERED:

6491—Highway Accident Report: School Bus/Tractor-Semitrailer Collision, Snyder, Oklahoma, November 10, 1993.

NEWS MEDIA CONTACT: Telephone: (202) 382-0660.

FOR MORE INFORMATION CONTACT: Bea Hardesty, (202) 382-6525.

Dated: November 18, 1994.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 94-28939 Filed 11-18-94; 3:03 pm]

BILLING CODE 7533-01-P

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of November 21, 28, December 5, and 12, 1994.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of November 21

There are no meetings scheduled for the Week of November 21.

Week of November 28—Tentative

There are no meetings scheduled for the Week of November 28.

Week of December 5—Tentative

Wednesday, December 7

10:00 a.m.

Briefing on Pilot Diagnostic Evaluation Program and Use of Licensee Self-Assessments in Inspections (Public Meeting)

(Contact: 1st part Ellis Merschoff, 404-331-5179 and 2nd part Frank Gillespie, 301-504-1275)

2:00 p.m.

Briefing on Status of Reactor Pressure Vessels in Commercial Nuclear Power Plants (Public Meeting)

(Contact: Brian Sheron, 301-504-2722)

Thursday, December 8

2:00 p.m.

Briefing on Proposed Rule—Revision to Appendix J to 10 CFR Part 50 (Public Meeting)

(Contact: Joseph Murphy, 301-415-5670)

3:30 p.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of December 12—Tentative

There are no Commission meetings scheduled for the Week of December 12.

ADDITIONAL INFORMATION: By a vote of 3-0 on November 15, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of Final Amendments to 10 CFR Parts 30, 32, and 35: Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use" (Public Meeting) be held on November 15, and on less than one week's notice to the public.

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

The Schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (Recording)—(301) 504-1292.

CONTACT PERSON FOR MORE INFORMATION: Dr. Andrew Bates, (301) 504-1963.

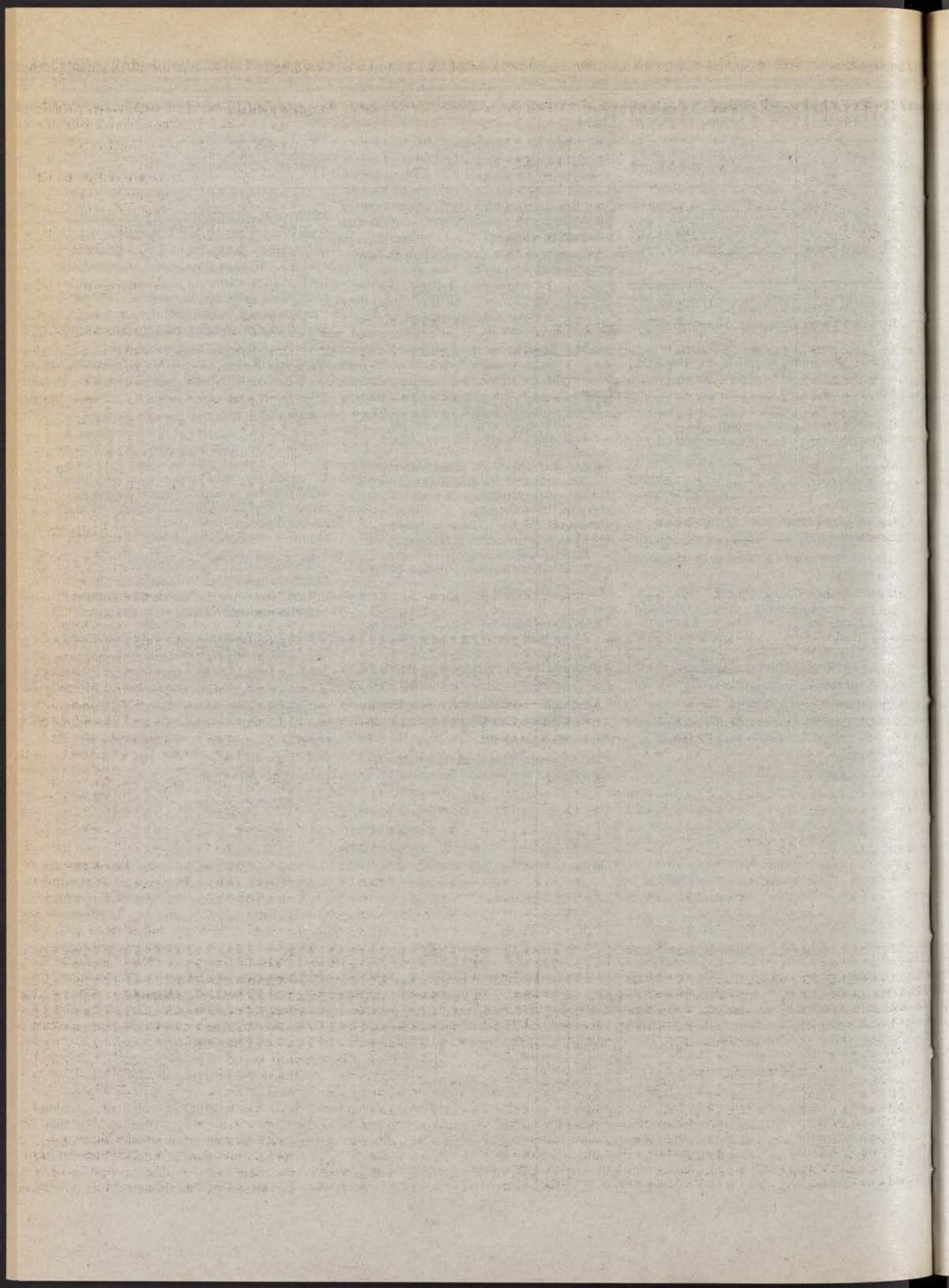
Dated: November 17, 1994.

Andrew L. Bates,

Chief, Operations Branch, Office of the Secretary.

[FR Doc. 94-28912 Filed 11-18-94; 11:25 am]

BILLING CODE 7590-01-M



Tuesday
November 22, 1994

Part II

Department of the
Interior

Bureau of Indian Affairs

Preparation of Catawba Indian Base
Membership Roll; Notice

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Preparation of Catawba Indian Base Membership Roll

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Affairs (BIA) is announcing that a base membership roll is being prepared by the Catawba Indian Tribe of South Carolina in accordance with the Act of October 27, 1993, the "Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993." The Catawba Tribe's current membership roll is open and will remain open for a 90 day period for the addition of the names of persons who can meet the requirements for Catawba tribal membership.

DATES: Effective November 22, 1994.

ADDRESSES: Persons who can provide proof that they meet the requirements

for inclusion on the base membership roll currently being prepared by the Catawba Indian Tribe of South Carolina may contact the tribe at Post Office Box 11106, Rock Hill, South Carolina 29731, or Carol Bacon, Acting Area Director, Bureau of Indian Affairs, Eastern Area Office, 3701 North Fairfax Drive, Mail Stop 260 VA SQU, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT:

Carol Bacon, Acting Area Director, Bureau of Indian Affairs, Eastern Area Office, 3701 North Fairfax Drive, Mail Stop 260 VA SQU, Arlington, VA 22201.

SUPPLEMENTARY INFORMATION: Section 7 of the Act of October 27, 1993, the "Catawba Indian Tribe of South Carolina Land Claims Settlement Act," 25 U.S.C. 941e, requires the Secretary of the Department of the Interior to publish within 90 days after the enactment of the Act, in the *Federal Register*, and in three newspapers of general circulation in the tribe's service area, a notice stating: (1) that a base membership roll

is being prepared by the Catawba Tribe and that the current tribal membership roll is open and will remain open for a 90 day period; and (2) that an individual is eligible for inclusion on the base membership roll being prepared by the Catawba Tribe if that individual is now living or was living on October 27, 1993; is listed on the membership roll published by the Secretary in the *Federal Register* on February 25, 1961 (26 FR 1680-1688) or if the tribal Executive Committee determines, based on the identical criteria used to compile the membership roll of February 25, 1961, that the individual should have been included on the membership roll at that time, but was not; or is a lineal descendant of a member whose name appeared or should have appeared on the membership roll of February 25, 1961.

Dated: November 7, 1994.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
1	2	Adams, Clarence Roddey	339 Park Ave., Rock Hill, SC	M	7/26/1942	
2	.....	Adams, Dewey Lee	339 Park Ave., Rock Hill, SC	M	5/24/1949	Adams, Mammie-5.
3	1	Adams, Franklyn Douglas	339 Park Ave., Rock Hill, SC	M	7/4/1943	
4	.....	Adams, James Robert	339 Park Ave., Rock Hill, SC	M	9/18/1947	Adams, Mammie-5.
5	.....	Adams, Jane Carol	339 Park Ave., Rock Hill, SC	F	9/2/1945	Adams, Mammie-5.
6	5	Adams, Mammie	339 Park Ave., Rock Hill, SC	F	9/15/1912	
7	3	Adams, Margaret Josephine	339 Park Ave., Rock Hill, SC	F	5/29/1939	
8	4	Adams, Nelson Judson	339 Park Ave., Rock Hill, SC	M	11/10/1940	
9	.....	Ayers, Avery Stuart	Route 3, Box 224, Rock Hill, SC	M	8/27/1947	Sanders, Sarah Lee-260 and Ayers, Hazel-10.
10	6	Ayers, Claude Kenneth	5 Pitts Ave., Rock Hill, SC	M	6/8/1930	
11	.....	Ayers, Debra Kay	5 Pitts Ave., Rock Hill, SC	F	5/15/1957	Ayers, Claude-6.
12	.....	Ayers, Ernest, Jr.	302 Flat Rock St., Clover, SC	M	5/9/1956	Ayers, Earnest-8.
13	8	Ayers, Ernest Wade	302 Flat Rock St., Rock Hill, SC	M	3/12/1927	
14	10	Ayers, Hazel Ervin	Route 3, Box 224, Rock Hill, SC	M	1/27/1924	
15	.....	Ayers, Jane Dilling	302 Flat Rock St., Clover, SC	F	7/3/1957	Ayers, Earnest-8.
16	12	Ayers, John	Route 1, Catawba, SC	M	11/27/1922	
17	.....	Ayers, Johnny Nelson	Route 1, Catawba, SC	M	1/31/1953	Ayers, John-12.
18	.....	Ayers, Marilyn Ann	Route 1, Catawba, SC	F	9/28/1959	Ayers, John-12.
19	.....	Ayers, Ralph Lewis	Route 1, Catawba, SC	M	11/16/1955	Ayers, John-12.
20	11	Ayers, Robert Heber	Route 3, Rock Hill, SC	M	10/5/1901	
21	.....	Ayers, Roger Dale	Box 585, Blacksburg, SC	M	4/22/1959	Ayers, Fred-9.
22	260	Ayers, Sarah Lee Sanders	Route 3, Box 224, Rock Hill, SC	F	8/22/1919	
23	.....	Ayers, Vivian Marie	Route 1, Catawba, SC	F	10/29/1951	Ayers, John-12.
24	.....	Ayers, William Frell, Jr.	Box 585, Blacksburg, SC	M	10/31/1947	Ayers, Fred-9.
25	9	Ayers, William Frell (Fred)	Box 585, Blacksburg, SC	M	1/22/1925	
26	.....	Beck, Donna B.	Route 3, Rock Hill, SC	F	9/28/1957	Beck, Lillie-19.
27	.....	Beck, Duane Early	1726 Nicholson Ave., Rock Hill, SC	M	8/26/1950	Beck, Eugene-15.
28	14	Beck, Eugene, Jr.	1726 Nicholson Ave., Rock Hill, SC	M	8/21/1948	
29	15	Beck, Eugene	1726 Nicholson Ave., Rock Hill, SC	M	7/30/1920	
30	16	Beck, Fletcher Buck, Jr.	Route 3, Rock Hill, SC	M	6/3/1927	
31	17	Beck, Gerald Leon	Route 3, Rock Hill, SC	M	1/7/1948	
32	18	Beck, Helen	Route 3, Rock Hill, SC	F	12/5/1920	
33	.....	Beck, John C.	Route 3, Rock Hill, SC	M	3/12/1957	Beck, Major-22.
34	19	Beck, Lillie	Route 3, Rock Hill, SC	F	12/5/1941	
35	21	Beck, Lulla S.	Route 3, Rock Hill, SC	F	5/3/1905	
36	23	Beck, Phyllis	Route 3, Rock Hill, SC	F	1/28/1940	
37	.....	Beck, Ronald Lee	1726 Nicholson Ave., Rock Hill, SC	M	1/12/1947	Beck, Eugene-15.

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
38		Beck, Roderick Neil	Route 3, Rock Hill, SC	M	11/18/1946	Beck, Helen-18 and Beck, Samuel-27.
39	25	Beck, Sallie	Route 3, Box 211, Rock Hill, SC	F	9/23/1893	
40	27	Beck, Samuel John	Route 3, Rock Hill, SC	M	2/12/1916	
41		Beck, Samuel Mitchell	Route 3, Rock Hill, SC	M	1/3/1944	Beck, Eugene-15 and Beck, Samuel-27.
42		Beck, Sandra Marlene	1726 Nicholson Ave., Rock Hill, SC	F	9/24/1948	Beck, Eugene-15.
43		Beck, Shansa Ilene	Route 3, Rock Hill, SC	F	1/22/1950	Beck, Helen-18 and Beck, Samuel-27.
44		Beck, Tommie Rae	1726 Nicholson Ave., Rock Hill, SC	M	4/25/1958	Beck, Eugene-15.
45	22	Beck, W.H. (Major, Jr.)	Route 3, Rock Hill, SC	M	9/27/1929	
46	35	Blue, Andrew Gene	Route 3, Rock Hill, SC	M	7/20/1938	
47	29	Blue, Arnold	Route 3, Box 223, Rock Hill, SC	M	6/9/1946	Harris, Lillian-184 and Blue, Arnold-29.
48		Blue, Arnold, Jr.	Route 3, Box 223, Rock Hill, SC	M	6/9/1946	Harris, Lillian-184 and Blue, Arnold-29.
49	156	Blue, Betty Lou Harris	Route 3, Box 223, Rock Hill, SC	F	8/31/1934	
50	32	Blue, Bobby Everette	871 McNair St., Rock Hill, SC	M	8/13/1935	
51		Blue, Carson Taylor	Route 3, Box 43, Rock Hill, SC	M	3/17/1944	Blue, Leroy-44.
52	33	Blue, Doris Belle	Route 3, Rock Hill, SC	F	1/14/1905	
53	34	Blue, Eva	Route 3, Rock Hill, SC	F	6/7/1910	
54	49	Blue, Frederick Nelson	Route 4, Box 44, Rock Hill, SC	M	10/25/1889	
55		Blue, Gail B.	Route 3, Rock Hill, SC	F	11/30/1947	Blue, Eva-34 and Blue, Guy-37.
56	36	Blue, Gilbert	Route 3, Rock Hill, SC	M	12/5/1923	
57	37	Blue, Guy	Route 3, Rock Hill, SC	M	12/3/1911	
58	38	Blue, Guy Leslie	Route 3, Rock Hill, SC	M	1/8/1941	
59	40	Blue, Harvey	Route 3, Rock Hill, SC	M	4/26/1930	
60		Blue, Harry Reid	Route 3, Box 43, Rock Hill, SC	M	8/23/1947	Blue, Leroy-44.
61	44	Blue, Henry LeRoy	Route 3, Box 43, Rock Hill, SC	M	8/14/1907	
62	41	Blue, Herbert	Route 3, Box 42, Rock Hill, SC	M	4/25/1898	
63	42	Blue, Herbert Roosevelt	Route 3, Box 42, Rock Hill, SC	M	2/12/1927	
64	46	Blue, Hester Louisa	Route 3, Box 223, Rock Hill, SC	F	2/7/1883	
65	39	Blue, Joannette	Route 3, Rock Hill, SC	F	8/31/1938	
66		Blue, Kelly La Brian	871 McNair St., Rock Hill, SC	M	3/12/1960	Harris, Betty-156 and Blue, Bobby-32.
67	184	Blue, Lillian	Route 3, Box 223, Rock Hill, SC	F	8/27/1925	
68		Blue, Malinda Darlene	732 Level St., Rock Hill, SC	F	10/22/1958	Blue, Lavone-43.
69	48	Blue, Mildred	Route 3, Rock Hill, SC	F	8/4/1922	
70		Blue, Nathan Taylor	Route 3, Box 223, Rock Hill, SC	M	6/29/1955	Harris, Lillian-184 and Blue, Arnold-29.
71	51	Blue, Pricilla (Priscilla)	Route 3, Box 43, Rock Hill, SC	F	10/24/1939	
72	43	Blue, Randall LaVon (Lavone)	732 Level St., Rock Hill, SC	M	12/20/1933	
73	28	Blue, Sam Andrew	Route 3, Rock Hill, SC	M	1/15/1900	Died Sept. 18, 1960.
74	53	Blue, Shirley	Route 3, Box 43, Rock Hill, SC	F	9/28/1941	
75		Blue, Toy June	Route 3, Rock Hill, SC	F	12/21/1943	Blue, Eva-34 and Blue, Guy-37.
76		Bodiford, Hazel Dewey	88 W. Rutger St., Pontiac, MI	M	7/1/1953	On 1943 roll as George, Fay.
77	230	Bodiford, Margaret Faye	Route 1, Fort Lawn, SC	F	5/16/1930	
78		Branham, Angela Renee	Route 4, Box 454, Rock Hill, SC	F	4/27/1958	Fox, Cynthia Ann-101.
79		Branham, Barbara Jean	Route 4, Box 448C, Rock Hill, SC	F	6/7/1954	Fox, Josephine-105.
80		Branham, Betty Joe	Route 4, Box 448C, Rock Hill, SC	F	7/20/1947	Fox, Josephine-106.
81	101	Branham, Cynthia Ann Foxx	Route 4, Box 454, Rock Hill, SC	F	2/13/1942	
82	106	Branham, Josephine Foxx	Route 4, Box 448C, Rock Hill, SC	F	8/10/1929	
83		Brindle, Carl	31 Lincoln St., York, SC	M	1/20/1948	Brindle, Missouri-58.
84	55	Brindle, Francis	31 Lincoln St., York, SC	F	3/1/1943	
85		Brindle, Frank Wayne	31 Lincoln St., York, SC	M	5/28/1944	Brindle, Missouri-58.
86		Brindle, Helen Louise	31 Lincoln St., York, SC	F	6/23/1949	Brindle, Missouri-58.
87	179	Brindle, Jennie Harris	P.O. Box 351, York, SC	F	6/2/1908	
88	56	Brindle, Jesse Roy	538 Oakland St., Charlotte, NC	M	10/13/1939	
89	57	Brindle, Melvin Lester	31 Lincoln St., York, SC	M	7/22/1941	
90	58	Brindle, Missouri	31 Lincoln St., York, SC	F	4/23/1921	
91		Brindle, Walter A	31 Lincoln St., York, SC	M	8/20/1946	Brindle, Missouri-58.
92		Brown, Anna Maria	Route 3, Box 215, Rock Hill, SC	F	11/23/1958	Brown, William-78 and Ayers, Ruby-13.
93		Brown, Bobby Norman	Route 3, Box 215, Rock Hill, SC	M	6/28/1949	Brown, William-78 and Ayers, Ruby-13.
94		Brown, David Lee	Route 1, Box 189, York, SC	M	1/17/1958	Brown, Leola-69.
95	60	Brown, Donald L	1017 Chandler Dr., Rock Hill, SC	M	3/21/1935	

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
96	.....	Brown, Donald Richard	1017 Chandler Dr., Rock Hill, SC	M	1/19/1956	Brown, Donald-60.
97	61	Brown, Early	Route 3, Rock Hill, SC	M	1/26/1891	
98	62	Brown, Edith B. Harris	743 North Jones Ave., Rock Hill, SC	F	6/13/1893	
99	63	Brown, Edna	Route 3, Box 216, Rock Hill, SC	F	5/14/1911	
100	64	Brown, Edward	720 Cedar St., Rock Hill, SC	M	12/8/1911	
101	65	Brown, Emma	Route 3, Rock Hill, SC	F	6/6/1889	
102	66	Brown, George	C2 Gonzales Gardens, Columbia, SC.	M	9/16/1914	
103	.....	Brown, Harold Dean	Route 1, Box 189, York, SC	M	12/17/1954	Brown, Leola-69.
104	59	Brown, Hazel Edward	1090 Chandler Dr., Rock Hill, SC	M	11/7/1943	Ayers, Mary Ann-71 and Brown, Richard-76.
105	.....	Brown, Helen Mae	Route 1, Box 189, York, SC	F	4/30/1944	Brown, Leola-69.
106	.....	Brown, John Samuel	Route 1, Box 189, York, SC	M	10/13/1947	Brown, Leola-69.
107	69	Brown, Leola	Route 1, Box 189, York, SC	F	8/23/1919	
108	.....	Brown, Lewis Herman, Jr.	1090 Chandler Dr., Rock Hill, SC	M	5/9/1946	Ayers, Mary Ann-71 and Brown, Richard-76.
109	.....	Brown, Lillian Ann	720 Cedar St., Rock Hill, SC	F	11/27/1945	Brown, Edward-64.
110	.....	Brown, Linda Gail	Route 1, Box 189, York, SC	F	1/22/1957	Brown, Leola-69.
111	.....	Brown, Martha Sue	1090 Chandler Dr., Rock Hill, SC	F	1/20/1949	Ayers, Mary Ann-71 and Brown, Richard-76.
112	71	Brown, Mary Ann Ayers	1090 Chandler Dr., Rock Hill, SC	F	6/11/1918	
113	.....	Brown, Mickie Edward	Route 1, Box 189, York, SC	M	9/18/1951	Brown, Leola-69.
114	.....	Brown, Myra Edith	Route 3, Box 215, Rock Hill, SC	F	11/26/1959	Brown, William-78 and Ayers, Ruby-13.
115	.....	Brown, Nancy Mae	Route 3, Box 215, Rock Hill, SC	F	6/5/1947	Brown, William-78 and Ayers, Ruby-13.
116	73	Brown, Otis Roddy	1090 Chandler Dr., Rock Hill, SC	M	11/14/1941	
117	.....	Brown, Owen Keith	Route 3, Box 215, Rock Hill, SC	M	3/23/1951	Brown, William-78 and Ayers, Ruby-13.
118	.....	Brown, Patricia	St. Andrews Terr., Columbia, SC	F	9/7/1959	Brown, Viola Robbins-234.
119	.....	Brown, Patricia Lucille	Route 1, Box 189, York, SC	F	12/12/1949	Brown, Leola-69.
120	75	Brown, Rachel Wysie	.....	F	8/22/1873	Died Sept. 20, 1960.
121	.....	Brown, Reba Maxine	Route 3, Box 215, Rock Hill, SC	F	11/7/1953	Brown, William-78 and Ayers, Ruby-13.
122	76	Brown, Richard	1090 Chandler Dr., Rock Hill, SC	M	8/21/1916	
123	77	Brown, Roy	Route 3, Box 216, Rock Hill, SC	M	1/28/1905	
124	13	Brown, Ruby Ayers	Route 3, Box 215, Rock Hill, SC	F	8/4/1928	
125	.....	Brown, Ruth Ann	Route 1, Box 189, York, SC	F	1/25/1946	Brown, Leola-69.
126	.....	Brown, Teresa Diana	1017 Chandler Dr., Rock Hill, SC	F	8/29/1958	Brown, Donald-60.
127	.....	Brown, Tommy Clyde	Route 1, Box 189, York, SC	M	10/18/1953	Brown, Leola-69.
128	.....	Brown, Vanessa Lee	Route 3, Box 215, Rock Hill, SC	F	11/29/1955	Brown, William-78 and Ayers, Ruby-13.
129	.....	Brown, Velma Irene	Route 3, Box 215, Rock Hill, SC	F	6/12/1957	Brown, William-78 and Ayers, Ruby-13.
130	234	Brown, Viola Robbins Martin	Route, St. Andrews Terr., Columbia, SC.	F	9/17/1925	
131	78	Brown, William	Route 3, Box 215, Rock Hill, SC	M	1/28/1905	
132	.....	Brown, William Clifford	1017 Chandler Dr., Rock Hill, SC	M	3/1/1957	Brown, Donald-60.
133	.....	Brown, William Larry	Route 3, Box 215, Rock Hill, SC	M	1/12/1954	Brown, William-78 and Ayers, Ruby-13.
134	.....	Bryson, Janet Renee	Route 3, Rock Hill, SC	F	12/22/1956	Bryson, Themla Louise-20.
135	157	Bryson, Myrtle Blanche Harris	Route 3, Box 225, Rock Hill, SC	F	11/22/1926	
136	20	Bryson, Thelma Louise Beck	Route 3, Rock Hill, SC	F	8/15/1931	
137	.....	Bryson, Virgil Stanley H.	Route 3, Box 225, Rock Hill, SC	M	1/17/1945	Harris, Blanch-157.
138	.....	Burns, James Vernon	Box 282, Aztec, NM	M	9/5/1945	Brown, Lizzie-70.
139	70	Burns, Lizzie Jane Brown	Box 282, Aztec, NM	F	8/21/1927	
140	.....	Cabanise, Elizabeth Kay	Route 3, Box 38, Rock Hill, SC	F	9/7/1949	Blue, Marcel-47.
141	47	Cabaniss, Marcille Blue	Route 3, Box 38, Rock Hill, SC	F	2/15/1924	
142	.....	Cabaniss, William Forrest, Jr.	Route 3, Box 38, Rock Hill, SC	M	8/23/1947	Blue, Marcel-47.
143	.....	Campbell, Edwin Lee	Route 3, Box 135, Rock Hill, SC	M	12/24/1954	Harris, Nola-195.
144	195	Campbell, Nola L. Harris	Route 3, Box 135, Rock Hill, SC	F	5/2/1918	
145	.....	Caudle, Retta Fay	Route 3, Box 135, Rock Hill, SC	F	11/3/1956	Harris, Nola-195.
146	.....	Canty, Alene Fern	534 Hudson St., Rock Hill, SC	F	5/13/1958	Canty, Allen-80 and Canty, Ella-86.
147	79	Canty, Alice Elaine	534 Hudson St., Rock Hill, SC	F	6/29/1940	
148	80	Canty, Allan	534 Hudson St., Rock Hill, SC	M	9/18/1911	
149	.....	Canty, Allie Mae	534 Hudson St., Rock Hill, SC	F	3/16/1948	Canty, Allen-80 and Canty, Ella-86.
150	81	Canty, Alonzo George	Route 3, Box 218, Rock Hill, SC	M	2/26/1907	

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
151	.....	Canty, Alonzo George, Jr.	Route 3, Box 218, Rock Hill, SC	M	12/5/1945	Canty Alonzo-81.
152	.....	Canty, Alvin B.	Route 3, Rock Hill, SC	M	2/13/1944	Canty, Artie-82 and Canty, Henry-87.
153	.....	Canty, Anita	Route 3, Rock Hill, SC	F	11/17/1959	Canty, Huey-89.
154	.....	Canty, Anthony Scott	Route 3, Rock Hill, SC	M	6/18/1956	George, Thelma-147.
155	82	Canty, Artie Jane	Route 3, Rock Hill, SC	F	3/21/1915	
156	83	Canty, Billie	Route 3, Rock Hill, SC	M	3/26/1916	
157	.....	Canty, Billie Ann	Route 3, Rock Hill, SC	F	11/12/1945	Canty, Billie-83 and Canty, Catherine-84.
158	.....	Canty, Betty Corine	Route 3, Box 218, Rock Hill, SC	F	4/22/1952	Canty, Alonzo-81.
159	.....	Canty, Bobby D.	Route 3, Rock Hill, SC	M	8/1/1957	Canty, Artie-82 and Canty, Henry-87.
160	84	Canty, Catherine Sanders	Route 3, Rock Hill, SC	F	2/11/1917	
161	.....	Canty, Cathy	Route 3, Rock Hill, SC	F	2/20/1952	Canty, Huey-89.
162	85	Canty, Cecil Ray	534 Hudson St., Rock Hill, SC	M	8/17/1935	
163	.....	Canty, Cindy	Route 3, Rock Hill, SC	F	8/19/1953	Canty, Huey-89.
164	.....	Canty, Clifford Troy	Route 3, Rock Hill, SC	M	11/28/1946	Canty, Billie-83 and Canty, Catherine-84.
165	.....	Canty, Dean	Route 3, Box 213-B, Rock Hill, SC	M	11/22/1951	Canty, Howyard-88.
166	.....	Canty, Eddie Henderson	534 Hudson St., Rock Hill, SC	M	5/6/1950	Canty, Allen-80 and Canty, Ella-86.
167	.....	Canty, Edwin Bruce	Route 3, Box 218, Rock Hill, SC	M	10/10/1950	Canty, Alonzo-81.
168	.....	Canty, Elizabeth Jane	534 Hudson St., Rock Hill, SC	F	1/17/1952	Canty, Allen-80 and Canty, Ella-86.
169	86	Canty, Ella	534 Hudson St., Rock Hill, SC	F	8/21/1915	
170	.....	Canty, Ella Rich	534 Hudson St., Rock Hill, SC	F	4/11/1954	Canty, Allen-80 and Canty, Ella-86.
171	.....	Canty, Ellen	Route 3, Box 213-B, Rock Hill, SC	F	10/27/1957	Canty, Howyard-88.
172	.....	Canty, Emily Elizabeth	Route 3, Rock Hill, SC	F	11/1/1952	Canty, Artie-82 and Canty, Henry-87.
173	.....	Canty, Emma Geraldine	Route 3, Rock Hill, SC	F	2/6/1949	Canty, Billie-83 and Canty, Catherine-84.
174	.....	Canty, Eric Jerome	Route 3, Box 218, Rock Hill, SC	M	8/20/1955	Canty, Alonzo-81.
175	87	Canty, Henry	Route 3, Rock Hill, SC	M	9/8/1911	
176	88	Canty, Heyward Jackson	Route 3, Box 213-B, Rock Hill, SC	M	1/15/1927	
177	.....	Canty, Heyward, Jr.	Route 3, Box 213-B, Rock Hill, SC	M	9/1/1947	Canty, Howyard-88.
178	89	Canty, Huey	Route 3, Rock Hill, SC	M	8/13/1933	
179	90	Canty, James Henry	Route 3, Rock Hill, SC	M	2/16/1937	
180	.....	Canty, Jannie	Route 3, Rock Hill, SC	F	8/10/1954	Canty, Huey-89.
181	.....	Canty, Judith Patricia	Route 3, Box 218, Rock Hill, SC	F	12/15/1947	Canty, Alonzo-81.
182	91	Canty, Lawrence	534 Hudson St., Rock Hill, SC	M	8/30/1942	
183	.....	Canty, Leonard T.	Route 3, Rock Hill, SC	M	11/26/1946	Canty, Artie-82 and Canty, Henry-87.
184	.....	Canty, Lisa Marie	Route 3, Rock Hill, SC	F	6/2/1958	George, Thelma-147
185	.....	Canty, Lynn	Route 3, Box 213-B, Rock Hill, SC	F	6/9/1949	Canty, Howyard-88.
186	.....	Canty, Marion I.	Route 3, Rock Hill, SC	M	12/1/1948	Canty, Artie-82 and Canty, Henry-87.
187	.....	Canty, Reba Louise	534 Hudson St., Rock Hill, SC	F	3/28/1956	Canty, Allen-80 and Canty, Ella-86.
188	.....	Canty, Robert Kirk	Route 3, Rock Hill, SC	M	12/21/1947	Canty, Billie-83 and Canty, Catherine-84.
189	.....	Canty, Roger B.	Route 3, Rock Hill, SC	M	4/21/1954	Canty, Artie-82 and Canty, Henry-87.
190	.....	Canty, Ronald	Route 3, Rock Hill, SC	M	12/21/1956	Canty, Howyard-88.
191	.....	Canty, Rosemary	534 Hudson St., Rock Hill, SC	F	1/2/1945	Canty, Allen-80 and Canty, Ella-86.
192	147	Canty, Thelma George	Route 3, Rock Hill, SC	F	1/23/1932	
193	.....	Canty, Teresa Diane	Route 3, Rock Hill, SC	F	5/12/1951	Canty, Artie-82 and Canty, Henry-87.
194	.....	Canty, Wallace Lee, Sr.	Route 3, Box 218, Rock Hill, SC	M	2/16/1954	Canty, Alonzo-81.
195	96	Caponis, Constantine Elizabeth	5642 110th St., Jacksonville, FL	F	5/30/1942	
196	97	Caponis, John Alvin	5642 110th St., Jacksonville, FL	M	2/5/1938	
197	98	Caponis, Raina	5642 110th St., Jacksonville, FL	F	5/17/1917	
198	.....	Carpenter, Chris Darrel	605 College Ave., Rock Hill, SC	M	1/9/1959	Died Nov. 14, 1960—Son of Carpenter, Sadie-94.
199	94	Carpenter, Sadie	605 College Ave., Rock Hill, SC	F	4/27/1936	
200	.....	Caudle, Edward Chris	503 North Jones Ave., Rock Hill, SC	M	7/18/1958	Blue, Sylvia-54.
201	.....	Caudle, Jill Ronea	502 North Jones Ave., Rock Hill, SC	F	5/24/1957	Blue, Sylvia-54.
202	.....	Caudle, Nichem James	502 North Jones Ave., Rock Hill, SC	M	8/4/1959	Blue, Sylvia-54.

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
203	54	Caudle, Sylvia Blue	502 North Jones Ave., Rock Hill, SC	F	4/2/1936	
204	181	Cookson, Jewell Harris	117 Leonard Dr., Cabokia, IL	F	8/24/1929	
205	.....	Cookson, Ricardo Harris	117 Leonard Dr., Cabokia, IL	M	10/7/1952	Harris, Jewel-181.
206	.....	Cookson, Shirley Lynn	117 Leonard Dr., Cabokia, IL	F	6/4/1950	Harris, Jewel-181.
207	221	Cox, Angeline Petty	Route 3, Rock Hill, SC	F	7/31/1920	
208	.....	Davis, Cindy Phoebe L.	Route 3, Box 45-A, Rock Hill, SC ...	F	10/24/1957	George, Francis-132.
209	132	Davis, Frances L. G. H.	Route 3, Box 45-A, Rock Hill, SC ...	F	9/6/1927	
210	.....	Davis, Freddie D. Horne	Route 3, Box 45-A, Rock Hill, SC ...	M	11/9/1949	George, Francis-132.
211	.....	Davis, Jacqueline D. Horne	Route 3, Box 45-A, Rock Hill, SC ...	F	2/6/1947	George, Francis-132.
212	.....	Davis, Lena May	Route 3, Box 45-A, Rock Hill, SC ...	F	1/9/1956	George, Francis-132.
213	118	Ferrell, Alberta Lavinia	Route 3, Box 40-B, Rock Hill, SC ...	F	8/30/1929	
214	.....	Ferrell, Karen Denise	Route 3, Box 40-B, Rock Hill, SC ...	F	4/3/1954	George, Alberta-118.
215	.....	Ferrell, Kevin Lamar	Route 3, Box 40-B, Rock Hill, SC ...	M	9/30/1956	George, Alberta-118.
216	.....	Ferrell, Lorna Cecelia	Route 3, Box 40-B, Rock Hill, SC ...	F	6/7/1955	George, Alberta-118.
217	.....	Ferrell, Marsha Francine	Route 3, Box 40-B, Rock Hill, SC ...	F	2/10/1950	George, Alberta-118.
218	109	Fox, Antonio B., Sr.	202 South York Ave., Rock Hill, SC	M	8/21/1915.	
219	110	Fox, Antonio B., Jr.	202 South York Ave., Rock Hill, SC	M	7/30/1940	
220	102	Fox, Charles W.	405 South Webb St., W. Gastonia, NC.	M	3/30/1938	
221	.....	Fox, Cora Lee	336 Ebenezer Ave., Rock Hill, SC ...	F	12/5/1947	Fox, Joe-105.
222	.....	Fox, Cynthia Ann	336 Ebenezer Ave., Rock Hill, SC ...	F	1/27/1955	Fox, Joe-105.
223	103	Fox, Ernest B.	504 South Webb St, West Gastonia, NC.	M	7/16/1917	
224	104	Fox, Jimmie Cox	504 South Webb St., West Gastonia, NC.	M	5/18/1937	
225	105	Fox, Joe Basil	336 Ebenezer Ave., Rock Hill, SC ...	M	4/23/1924	
226	.....	Fox, Joe E. Basil	202 South York Ave., Rock Hill, SC	M	6/23/1944	Fox, Tony-109.
227	.....	Fox, Kimberly Dinesi	504 South Webb St., West Gastonia, NC.	F	1/4/1959	Fox, Jimmie-104.
228	.....	Fox, Lewis H. Basil	202 South York Ave., Rock Hill, SC	M	5/22/1946	Fox, Tony-109.
229	107	Fox, Louis Russel	504 South Webb St., West Gastonia, NC.	M	6/16/1941	
230	108	Fox, Mary E.	Route 4, Box 448-C, Rock Hill, SC	F	12/24/1895	
231	.....	Fox, Mary Delores	202 South York Ave., Rock Hill, SC	F	6/16/1951	Fox, Tony-109.
232	.....	Fox, Ronald Guy	504 South Webb St., West Gastonia, NC.	M	12/30/1957	Fox, Jimmie-104.
233	.....	Fox, Wm. C. Basil	202 South York Ave., Rock Hill, SC	M	10/18/1942	Fox, Tony-109.
234	.....	Garcia, Barbara Annette	Route 3, Rock Hill, SC	F	6/24/1944	Garcia, Bettie-113 and Garcia, Guy-116.
235	111	Garcia, Ben	Box 52, Sanford, CO	M	12/22/1911	
236	112	Garcia, Ben E. R., Jr.	Box 52, Sanford, CO	M	8/25/1935	
237	113	Garcia, Betty Juanita	Route 3, Rock Hill, SC	F	12/13/1924	
238	114	Garcia, Bonnie	1113 Blake St., Pueblo, CO	F	6/12/1937	
239	116	Garcia, Edward Guy	Route 3, Rock Hill, SC	M	9/15/1914	
240	115	Garcia, Fletcher Calvin	Box 52, Sanford, CO	M	5/13/1941	
241	117	Garcia, Irene Beck	Box 52, Sanford, CO	F	5/19/1918	
242	.....	Garcia, Velma Marlene	Route 3, Rock Hill, SC	F	9/5/1953	Garcia, Bettie-113 and Garcia, Guy-116.
243	131	Garland, Hazel Faye B.	88 West Rutgers St., Pontiac, MI	F	11/19/1935	
244	120	George, Caroline Dinne	Route 3, Box 40-A, Rock Hill, SC ...	F	3/23/1941	
245	121	George, Charles Lewis	725 North Jones Ave., Rock Hill, SC	M	7/30/1932	
246	122	George, Claude Leonard	Route 1, York, SC	M	6/30/1933	
247	.....	George, Eddie Mac	32 McLain St., York, SC	M	4/11/1948	George, Macaroni-142.
248	124	George, Elsie	Route 3, Box 39, Rock Hill, SC	F	3/1/1914	
249	125	George, Ephraim D.	Route 3, Box 48, Rock Hill, SC	M	7/1/1902	
250	127	George, Evans McClure	1 Barrow St., Rock Hill, SC	M	12/29/1905	
251	128	George, Evans McClure (Buck), Jr. .	1119 Mcdow Dr., Rock Hill, SC	M	1/25/1932	
252	129	George, Evelyn Brown	743 North Jones Ave., Rock Hill, SC	F	2/7/1914	
253	.....	George, Fannie Lavinia	Route 1, McConellsville, SC	F	6/10/1956	George, Howard-135.
254	.....	George, Flonnie Evelyn	Route 1, McConellsville, SC	F	4/1/1955	George, Howard-135.
255	146	George, Hiram Qually	Route 3, Rock Hill, SC	M	2/14/1912	
256	177	George, Isabel Harris	Route 3, Box 48, Rock Hill, SC	F	2/7/1904	
257	.....	George, Jerry Lee	1 Barrow St., Rock Hill, SC	M	6/8/1953	George, Elaine-123.
258	137	George, Joan Carol Jean	743 North Jones Ave., Rock Hill, SC	F	1/13/1937	
259	.....	George, John Earlee	743 North Jones Ave., Rock Hill, SC	M	1/28/1946	George, Marvin-145 and George, Evelyn-129.
260	145	George, John Marvin	743 North Jones Ave., Rock Hill, SC	M	8/16/1909	
261	139	George, Landrum L.	Route 3, Box 39, Rock Hill, SC	M	3/31/1908	
262	140	George, Lavern Randolph	1 Barrow St., Rock Hill, SC	M	7/9/1942	

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Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
263	135	George, Lawrence Howard	Route 1, McConnellsville, SC	M	9/26/1931	
264		George, Lewis Buntley	725 North Jones Ave., Rock Hill, SC	M	9/7/1959	George, Charlie-121.
265	144	George, Marion Phillip	743 North Jones Ave., Rock Hill, SC	M	2/16/1941	
266	141	George, Maroni P.	Route 3, Rock Hill, SC	M	8/21/1884	
267	142	George, Maroni Taylor	32 McClain St., York, SC	M	4/28/1925	
268		George, Marsha D.	Route 1, York, SC	F	3/17/1954	George, Claude-122.
269	123	George, Mary Elaine	1 Barrow St., Rock Hill, SC	F	4/5/1936	
270		George, Peggy Jane	Route 1, McConnellsville, SC	F	5/1/1960	George, Howard-135.
271		George, Philip K.	Route 1, York, SC	M	9/8/1955	George, Claude-122.
272		George, Reta Sharon	Route 1, McConnellsville, SC	F	3/31/1958	George, Howard-135.
273		George, Rhonda K.	Route 1, York, SC	F	8/28/1958	George, Claude-122.
274		George, Roger Wayne	743 North Jones Ave., Rock Hill, SC	M	9/30/1948	George, Marvin-145 and George, Evelyn-129.
275		George, Susan Maria	743 North Jones Ave., Rock Hill, SC	F	6/1/1947	George, Marvin-145 and George, Evelyn-129.
276		George, Thomas Clark	32 McClain St., York, SC	M	12/14/1957	George, Macaroni-142.
277		George, Thomas Howard	Route 1, McConnellsville, SC	M	7/24/1953	George, Howard-135.
278		George, Wenonah Kay	1119 McDow Dr., Rock Hill, SC	F	11/27/1953	George, Evans-128.
279	148	Gordon, Eliza	Route 3, Rock Hill, SC	F	4/30/1902	Died Nov. 15, 1960.
280		Graves, Cynthia Linn	2011 Cherry Rd., Rock Hill, SC	F	5/19/1955	Blue, Patricia-50.
281		Green, Hal E	5136 Ponderosa Dr., Fayetteville, NC.	M	10/27/1955	George, Joyce-138.
282	138	Green, Joyce George	5136 Ponderosa Dr., Fayetteville, NC.	F	1/27/1937	
283		Green, Shelly Maxine	5136 Ponderosa Dr., Fayetteville, NC.	F	3/16/1957	George, Joyce-138.
284		Gunn, David Howard, Jr.	Box 51, Rock Hill, SC	M	1/23/1956	Canty, Lou Ella-92.
285		Gunn, Floyd Lee	Box 51, Rock Hill, SC	M	8/21/1958	Canty, Nellie-93.
286		Gunn, Joann	Box 51, Rock Hill, SC	F	4/23/1955	Canty, Nellie-93.
287	92	Gunn, Lou Ella Jane Canty	Box 51, Rock Hill, SC	F	2/17/1941	
288		Gunn, Mary Faye	Box 51, Rock Hill, SC	F	11/26/1953	Canty, Nellie-93.
289	93	Gunn, Nellie Fay Canty	Box 51, Rock Hill, SC	F	2/23/1939	
290		Gunn, Patricia Lucille	Box 51, Rock Hill, SC	F	4/24/1960	Canty, Nellie-93.
291		Gunn, Wanda Diane	Box 51, Rock Hill, SC	F	12/31/1956	Canty, Nellie-93.
292	50	Hamm, Patsy Blue Graves	2011 Cherry Rd., Rock Hill, SC	F	6/5/1937	
293		Hamm, Teresa Mary	2011 Cherry Rd., Rock Hill, SC	F	8/12/1959	Blue, Patricia-50.
294		Hammond, Bobby Ray	Route 3, Box 220, Rock Hill, SC	M	7/9/1957	Thomas, Nora Lee-273.
295		Hammond, Gerald James, Jr.	Route 3, Box 220, Rock Hill, SC	M	12/20/1953	Thomas, Nora Lee-273.
296	273	Hammond, Nora Lee Thomas	Route 3, Box 220, Rock Hill, SC	F	10/12/1930	
297		Hammond, Patricia Ann	Route 3, Box 220, Rock Hill, SC	F	3/26/1956	Thomas, Nora Lee-273.
298		Hammond, Shirley Ruth	Route 3, Box 220, Rock Hill, SC	F	11/6/1958	Thomas, Nora Lee-273.
299		Harris, Alfred Kenneth	Route 3, Box 216, Rock Hill, SC	M	2/27/1948	Brown, Peggie Thatcher-74.
300		Harris, Alfred Neal	Route 3, Box 216, Rock Hill, SC	M	5/6/1920	Harris, Nancy Cornelia (with 83d Infantry Merrill's Marauders)-194.
301		Harris, Alice Loretta	Route 4, Dixie River Rd., Charlotte, NC.	F	10/20/1946	Harris, Wilford-211 and Thomas, Bulah-271.
302		Harris, Barry Dean	Box 47, Route 3, Rock Hill, SC	M	10/25/1950	Harris, Floyd-168.
303		Harris, Barry Phillip	Route 4, Dixie River Rd., Charlotte, NC.	M	9/2/1949	Harris, Wilford-211 and Thomas, Bulah-271.
304	182	Harris, Benjamin Joseph	Route 3, Box 67-C, Rock Hill, SC	M	4/15/1906	
305		Harris, Bernice	Route 3, Box 225, Rock Hill, SC	F	9/16/1957	Harris, Wesley-209 and Harris, Reola-200.
306	155	Harris, Bertha	Route 3, Rock Hill, SC	F	6/29/1913	
307	271	Harris, Beulah Thomas	Route 4, Dixie River Rd., Charlotte, NC.	F	2/10/1929	
308		Harris, Bruce Edward	Route 3, Box 205, Rock Hill, SC	M	1/30/1959	Harris, Morgan-193.
309		Harris, Calvin Wayne	Route 3, Box 205, Rock Hill, SC	M	6/15/1957	Harris, Morgan-193.
310	158	Harris, Carl E.	Route 3, Box 135, Rock Hill, SC	M	2/23/1937	
311		Harris, Catherine Marie	337 Ebenezer Ave., Rock Hill, SC	F	11/17/1947	Harris, Leona-185.
312		Harris, Cheryl Ann	Route 3, Rock Hill, SC	F	6/27/1960	Harris, Dewey-165.
313		Harris, Cheryl Ann	2205 Pinehurst, Columbia, SC	F	12/15/1959	Harris, Jeff-178.
314		Harris, Cheryl Darlene	Route 3, Box 67, Rock Hill, SC	F	5/11/1958	Harris, Melvin-190.
315	159	Harris, Chester Gilbert	2417 Lee St., Columbia, SC	M	8/15/1909	
316	161	Harris, Cleatus O'Neal	Route 3, Box 225, Rock Hill, SC	M	7/13/1935	
317		Harris, Constance Veronica	Route 3, Rock Hill, SC	F	1/4/1951	Harris, David-162.
318		Harris, Cora	Route 3, Box 225, Rock Hill, SC	F	10/11/1954	Harris, Wesley-209 and Harris, Reola-200.
319		Harris, Curtis Douglas	Box 47, Route 3, Rock Hill, SC	M	5/18/1956	Harris, Floyd-168.

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Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
320	.....	Harris, Dale Wallace	Route 3, Rock Hill, SC	M	1/19/1955	Harris, Dewey-165.
321	.....	Harris, Darrel Kent	Route 3, Box 216, Rock Hill, SC	M	4/8/1958	Brown, Peggie Thatcher-74.
322	162	Harris, David Adams	Route 3, York, SC	M	7/12/1927	
323	.....	Harris, David Loran	Route 3, Rock Hill, SC	M	10/13/1958	Harris, Loran (Leona) (deceased) (Born in Washington, D.C.)-185.
324	163	Harris, David Spencer	14 Paris St., Rock Hill, SC	M	6/16/1916	
325	.....	Harris, Deborah Ann	Route 3, Box 205, Rock Hill, SC	F	5/1/1960	Harris, Morgan-193.
326	.....	Harris, Deborah Mae	Route 3, Box 135, Rock Hill, SC	F	10/24/1948	Harris, Nola-195 and Harris, Raymond (deceased) -199.
327	.....	Harris, Della Eleanor	Route 3, Box 135, Rock Hill, SC	F	1/1/1944	Harris, Nola-195 and Harris, Raymond-199.
328	164	Harris, Dennis	Route 3, York, SC	M	8/8/1905	
329	.....	Harris, Dessa	Route 3, Rock Hill, SC	F	11/14/1948	Harris, Wesley-209 and Harris, Reola-200.
330	165	Harris, Dewey	Route 3, Rock Hill, SC	M	2/21/1936	
331	.....	Harris, Donald Wilford	Route 4, Dixie River Rd., Charlotte, NC.	M	12/19/1950	Harris, Wilford-211 and Thomas, Bulah-271.
332	.....	Harris, Doris Kay	Route 3, Box 216, Rock Hill, SC	F	8/26/1946	Brown, Peggie Thatcher-74.
333	.....	Harris, Ellen Deloria	Box 47, Route 3, Rock Hill, SC	F	2/15/1952	Harris, Floyd-168.
334	.....	Harris, William, Jr.	Box 47, Route 3, Rock Hill, SC	M	10/5/1953	Harris, Floyd-168.
335	166	Harris, Floyd William	Route 3, Box 47, Rock Hill, SC	M	2/16/1928	
336	169	Harris, Furman George	Route 3, Rock Hill, SC	M	1/7/1913	
337	.....	Harris, Garfield Crawford	Route 3, Box 225, Rock Hill, SC	M	3/8/1914	Harris, Artemis-152 and Harris, Theodore (army April 1941 to September 1945)-206, 1945.
338	.....	Harris, Garland	Route 3, Rock Hill, SC	M	4/30/1950	Harris, Wesley-209 and Harris, Reola-200.
339	170	Harris, Georgia H	Route 3, Box 47, Rock Hill, SC	F	7/29/1905	
340	171	Harris, Gilbert Devaine	2417 Lee St., Columbia, SC	M	9/26/1941	Harris, Chester-159.
341	173	Harris, Grady	Route 3, Box 135, Rock Hill, SC	M	12/25/1939	
342	174	Harris, Henry A.	Route 3, Box 203, Rock Hill, SC	M	2/8/1994	
343	.....	Harris, Homer Vernon	Route 3, Rock Hill, SC	M	6/27/1947	Harris, Bertha-155 and Harris, Furman-169.
344	176	Harris, Ida	Route 3, Box 67-B, Rock Hill, SC	F	4/17/1904	
345	.....	Harris, James Wade	2205 Pinehurst Rd., Columbia, SC	M	11/13/1956	Harris, Jeff-178.
346	.....	Harris, James Loran, Jr.	337 Ebenezer Ave., Rock Hill, SC	M	3/30/1946	Harris, Lorraine-186.
347	178	Harris, Jefferson W.C.	Co. D. 3d Bn., Fort Jackson, SC	M	9/23/1936	
348	180	Harris, Jesse	Bldg. 116B, Gist St., Columbia, SC	M	4/25/1899	
349	183	Harris, Joseph W	Route 3, Box 67-C, Rock Hill, SC	M	8/15/1931	
350	.....	Harris, Karen Angela	Route 3, Rock Hill, SC	F	7/3/1958	Harris, Lorraine-186.
351	.....	Harris, Lester	Route 3, Box 225, Rock Hill, SC	M	6/9/1953	Harris, Wesley-209 and Harris, Reola-200.
352	186	Harris, Lorraine (Eleanor L.)	Route 3, Rock Hill, SC	F	8/11/1938	
353	193	Harris, Luther Morgan	Route 3, Box 205, Rock Hill, SC	M	8/8/1933	
354	.....	Harris, Lyda	Route 3, Box 225, Rock Hill, SC	F	3/29/1951	Harris, Wesley-209 and Harris, Reola-200.
355	.....	Davis, Lynda Annette	Route 3, York, SC	F	4/22/1946	Harris, David-162 and Plyler, Elisabeth-222.
356	.....	Harris, Lynette	Route 3, Rock Hill, SC	F	1/1/1945	Harris, Wesley-209 and Harris, Reola-200.
357	188	Harris, Martin Raymond	Route 3, Box 135, Rock Hill, SC	M	9/30/1941	Harris, Nola-195 and Harris, Raymond-199.
358	189	Harris, Mary B.	Route 3, Box 67-B, Rock Hill, SC	F	5/23/1915	
359	.....	Harris, Mary Joe Ann 2205	Pinehurst Rd., Columbia, SC	F	10/29/1957	Harris, Jeff-178.
360	190	Harris, Melvin	Route 3, Box 67-B, Rock Hill, SC	M	9/11/1924	
361	191	Harris, Minnie Sanders	14 Paris St., Rock Hill, SC	F	12/23/1909	
362	192	Harris, Mitchell Oliver	Route 3, Rock Hill, SC	M	2/1/1943	
363	.....	Harris, Michael Wayne	337 Ebenezer Ave., Rock Hill, SC	M	3/11/1949	Harris, Leona-185.
364	194	Harris, Nancy Cora	Route 3, Rock Hill, SC	F	10/17/1899	
365	.....	Harris, Neal Kelly	Route 3, Box 216, Rock Hill, SC	M	3/21/1952	Brown, Peggie Thatcher-74.
366	.....	Harris, Patricia Charlene	Route 3, Rock Hill, SC	F	3/1/1954	Harris, David-162.
367	.....	Harris, Paul Kenneth, Jr.	Route 3, Rock Hill, SC	M	11/22/1959	Harris, Paul-196.
368	*96	Harris, Paul Kenneth, Sr.	Route 3, Rock Hill, SC	M	9/7/1936	In Navy, Stationed San Diego
369	.....	Harris, Peggy Ann	Route 3, York, SC	F	7/23/1951	Harris, David-162.
370	74	Harris, Peggy Elizabeth T.	Route 3, Box 216, Rock Hill, SC	F	8/2/1927	
371	200	Harris, Reola	Route 3, Rock Hill, SC	F	10/12/1921	
372	201	Harris, Richard Jackson	Route 3, Rock Hill, SC	M	2/13/1898	

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Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
373		Harris, Roger	Route 3, Rock Hill, SC	M	7/8/1943	Harris, Wesley-209 and Harris, Reola-200.
374		Harris, Sharon Gwen	Route 3, Rock Hill, SC	F	9/7/1944	Harris, Bertha-155 and Harris, Furman-169.
375	205	Harris, Sylvia Margaret	2417 Lee St., Columbia, SC	F	4/13/1939	
376	206	Harris, Theodore	Route 3, Rock Hill, SC	M	3/27/1893	
377		Harris, Theresa Earlene	Route 4, Dixie River Rd., Charlotte, NC.	F	1/14/1948	Harris, Wilford-211 and Thomas, Bulah-271.
378	209	Harris, Theodore Wesley	Route 3, Rock Hill, SC	M	8/27/1921	
379		Harris, Thomas Edward	Route 3, Rock Hill, SC	M	5/19/1960	Harris, Lorraine-186.
380		Harris, Victor	Route 3, Box 225, Rock Hill, SC	M	12/5/1958	Harris, Wesley-209 and Harris, Reola-200.
381		Harris, Victoria Yvonne	Route 3, Box 216, Rock Hill, SC	F	4/2/1950	Brown, Peggie Thatcher-74.
382		Harris, Walter, Sr	Route 3, Rock Hill, SC	M	12/6/1946	Harris, Wesley-209 and Harris, Reola-200.
383		Harris, Wanda Jean	Route 3, Box 67, Rock Hill, SC	F	7/21/1959	Harris, Melvin-190.
384		Harris, Wendel Loran	Route 3, York, SC	M	3/7/1955	Harris, Leona-185.
385	210	Harris, Wilburn	Route 3, Box 67-B, Rock Hill, SC	M	6/21/1922	
386	211	Harris, Wilford P	Route 4, Dixie River Rd., Charlotte, NC.	M	2/7/1924	
387		Harris, Willard Leon	Route 3, Box 135, Rock Hill, SC	M	9/16/1946	Harris, Nola-195 and Harris, Raymond-199.
388	166	Harris, William Douglas	Route 3, Box 47, Rock Hill, SC	M	12/8/1905	
389	213	Harris, Woodrow	14 Paris St., Rock Hill, SC	M	8/3/1939	
390		Harris, Yvonne	Route 3, York, SC	F	7/15/1957	Harris, Leona-185.
391		Honeycutt, Earl H., Jr	Route 3, Rock Hill, SC	M	5/18/1955	Sanders, Roberta-259.
392		Honeycutt, Louise Renee	Route 3, Rock Hill, SC	F	11/24/1957	Sanders, Roberta-259.
393	259	Honeycutt, Roberta Sanders	Route 3, Rock Hill, SC	F	1/19/1932	
394		Honeycutt, Troy T	Route 3, Rock Hill, SC	M	6/10/1956	Sanders, Roberta-259.
395	246	Howard, Colleen Sanders	Route 3, Rock Hill, SC	F	6/5/1934	
396		Howard, Deborah Mae	Route 3, Rock Hill, SC	F	12/17/1958	Sanders, Colleen-246.
397		Howard, Frances R	Route 3, Rock Hill, SC	F	12/14/1950	Sanders, Colleen-246.
398		Howard, James Moore, Jr	Route 3, Rock Hill, SC	M	10/7/1956	Sanders, Colleen-246.
399		Howard, Lillian	Route 3, Rock Hill, SC	F	7/14/1955	Sanders, Colleen-246.
400		Howard, Susan Jean	Route 3, Rock Hill, SC	F	11/8/1952	Sanders, Colleen-246.
401		Howard, Tom William	Route 3, Rock Hill, SC	M	11/5/1957	Sanders, Colleen-246.
402		Hunter, Bessie Valoy	469 North Main St., Salt Lake City, UT.	F	1/1/1944	Blue, Lillie-45.
403	45	Hunter, Lillie Viola Blue	469 North Main St., Salt Lake City, UT.	F	9/10/1918	
404		Hunter, Julius Calvin	469 North Main St., Salt Lake City, UT.	M	11/13/1947	Blue, Lillie-45.
405	214	Johnson, Hadden Delano	Route 3, Box 219, Rock Hill, SC	M	2/17/1943	
406	215	Johnson, Martha H	Route 3, Box 219, Rock Hill, SC	F	1/14/1902	
407	67	Keese, Alice Grace Brown	Parrish Tr Pk, N. Jones, Rock Hill, SC.	F	8/12/1939	
408		Keese, Robert Lewis	Parrish Tr Pk, N. Jones, Rock Hill, SC.	M	11/4/1959	Brown, Grace Alice-67.
409	72	Kimbrell, Nettie Brown	127 Hill St., Pineville, NC	F	2/21/1937	
410		Kimbrell, Joyce Ann	127 Hill St., Pineville, NC	F	1/24/1954	Brown, Nettie-72.
411		Kimbrell, Wanda Kay	127 Hill St., Pineville, NC	F	1/11/1956	Brown, Nettie-72.
412		Kimbrell, Ronnie Lee	127 Hill St., Pineville, NC	M	10/14/1957	Brown, Nettie-72.
413		Kimbrell, Susan Darlene	127 Hill St., Pineville, NC	F	4/27/1959	Brown, Nettie-72.
414	294	Love, Sylvia Wright	1021 G. Washington Pky., Portsmouth, VA.	F	9/10/1937	
415	253	Mackey, Nellie Leona Sanders	Route 3, Box 136, Rock Hill, SC	F	7/21/1936	
416		Mackey, Leone Sherrill	Route 3, Box 136, Rock Hill, SC	F	4/9/1959	Sanders, Leona-253.
417		Mackey, Wendell David	Route 3, Box 136, Rock Hill, SC	M	2/20/1954	Sanders, Leona-253.
418	247	Manors, Clara Lee Sanders	Route 3, Box 224, Rock Hill, SC	F	8/3/1941	
419		Martin, Darnell	Route, St. Andrews Ter., Columbia, SC.	F	7/12/1951	Robbins, Viola-234.
420		Martin, I. Jane	Route, St. Andrews Ter., Columbia, SC.	F	6/15/1948	Robbins, Viola-234.
421		Martin, Jackie	Route, St. Andrews Ter., Columbia, SC.	M	10/1/1946	Robbins, Viola-234.
422		Martin, Malcom	Route, St. Andrews Ter., Columbia, SC.	M	10/23/1944	Robbins, Viola-234.
423	218	McGhee, Lucille Freddie	Route 4, Box 44, Rock Hill, SC	F	11/13/1914	

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
424	.....	Medlin, Charles Robert	575 North First, West Salt Lake City, UT.	M	9/8/1947	Medlin, Margaret-216.
425	.....	Medlin, Charlotte Ann Harris	Route 4, Box 22, Rock Hill, SC	F	6/13/1944	Harris, Pearly-197.
426	.....	Medlin, Nona Jane	575 North First, West Salt Lake City, UT.	F	2/25/1946	Medlin, Margaret-216.
427	217	Medlin, William Lamont	Route 4, Box 44, Rock Hill, SC	M	10/1/1940	
428	229	Miller, Ester Robbins	Route 3, Box 56, Rock Hill, SC	F	7/7/1919	
429	.....	Miller, Victoria Elizabeth	Route 3, Box 56, Rock Hill, SC	F	2/24/1951	Robbins, Ester-229.
430	160	Petty, Christine	Route 2, Inman, SC	F	9/3/1930	
431	.....	Petty, Jack Alton	Route 3, Rock Hill, SC	M	12/31/1955	Petty, John Wayne-220.
432	220	Petty, John Wayne	Route 3, Rock Hill, SC	M	8/3/1939	
433	.....	Petty, Johnnie William	Route 3, Rock Hill, SC	M	12/31/1955	Petty, John Wayne-220.
434	.....	Petty, Luther Thomas	Route 2, Inman, SC	M	6/1/1954	Harris, Christine-160.
435	.....	Petty, Patricia Ann	Route 2, Inman, SC	F	9/26/1949	Harris, Christine-160.
436	.....	Petty, Paula Delores	Route 3, Rock Hill, SC	F	2/18/1959	Petty, John Wayne-220.
437	.....	Petty, Ronald Vance	Route 3, Rock Hill, SC	M	12/6/1957	Petty, John Wayne-220.
438	.....	Perry, Wanda Kay	Route 2, Inman, SC	F	4/5/1952	Harris, Christine-160.
439	.....	Plyler, Arthur Terrance	APO 39, New York, NY	M	8/10/1954	Plyler, Olin Flow, Jr. (U.S. Army-Japan)-226.
440	.....	Plyler, Cynthia Arnette	335 Lyle St., Rock Hill, SC	F	7/11/1959	Plyler, Leonard-224.
441	.....	Plyler, Donald Olin	APO 39, New York, NY	M	8/10/1959	Plyler, Olin Flow, Jr. (U.S. Army-Japan)-226.
442	223	Plyler, Hubert Gerald Fewell	APO 39, New York, NY	M	2/15/1937.	
443	224	Plyler, Leonard	335 Lyle St., Rock Hill, SC	M	11/2/1934	
444	.....	Plyler, Michael Wayne	335 Lyle St., Rock Hill, SC	M	8/13/1954	Plyler, Leonard-224.
445	.....	Plyler, Norman Lynn	335 Lyle St., Rock Hill, SC	M	9/28/1955	Plyler, Leonard-224.
446	226	Plyler, Olin Flow, Jr.	Co. A, 1st Cal., APO 39, New York, NY.	M	4/18/1932	
447	.....	Potts, Alton Amos	Route 3, Box 202, Rock Hill, SC	M	7/8/1958	Sanders, Renda-258.
448	.....	Potts, Calvin Lee	Route 3, Box 202, Rock Hill, SC	M	5/3/1955	Sanders, Renda-258.
449	.....	Potts, John Hugh	Route 3, Box 202, Rock Hill, SC	M	9/6/1952	Sanders, Renda-258.
450	.....	Potts, Myrtle Lucille	Route 3, Box 202, Rock Hill, SC	F	3/10/1954	Sanders, Renda-258.
451	.....	Potts, Naomi Riith	Route 3, Box 202, Rock Hill, SC	F	8/5/1959	Sanders, Renda-258.
452	.....	Potts, Olivia Grace	Route 3, Box 202, Rock Hill, SC	F	5/3/1950	Sanders, Renda-258.
453	258	Potts, Renda Sanders	Route 3, Box 202, Rock Hill, SC	F	7/4/1926	
454	.....	Robbins, Barney C	Route 3, Box 56, Rock Hill, SC	M	6/16/1950	Robbins, Earl-227 and Robbins, Viola Harris-235.
455	.....	Robbins, Bradley M	Route 3, Box 56, Rock Hill, SC	M	2/26/1955	Robbins, Earl-227 and Robbins, Viola Harris-235.
456	227	Robbins, Earl	Route 3, Box 56, Rock Hill, SC	M	4/14/1921	
457	228	Robbins, Effie Elizabeth	Route 3, Box 56, Rock Hill, SC	F	5/16/1930	
458	99	Robbins, Flint	Route 3, Box 56, Rock Hill, SC	M	4/26/1924	
459	.....	Robbins, Frank E	Route 3, Box 56, Rock Hill, SC	M	7/11/1953	Robbins, Earl-227 and Robbins, Viola Harris-235.
460	231	Robbins, Jimmie	Route 1, Chesney, SC	M	4/4/1922	
461	.....	Robbins, Margaret	Route 3, Box 56, Rock Hill, SC	F	1/4/1957	Robbins, Earl-227 and Robbins, Viola Harris-235.
462	232	Robbins, Mabel Harris	Route 1, Chesney, SC	F	4/17/1895	
463	235	Robbins, Viola Harris	Route 3, Box 56, Rock Hill, SC	F	10/12/1921	
464	236	Robbins, William, Jr.	Route 1, Chesney, SC	M	7/1/1928	
465	.....	Robinson, Aubrey Dale	Route 3, Box 46, Rock Hill, SC	M	11/17/1954	Plyler, Elisabeth-222.
466	222	Robinson, Elizabeth Plyler	Route 3, Box 46, Rock Hill, SC	F	11/2/1928	
467	.....	Robinson, Marvin Ted	Route 3, Box 46, Rock Hill, SC	M	1/17/1953	Plyler, Elisabeth-222.
468	212	Robinson, Winona Harris	Route 3, Box 46, Rock Hill, SC	F	1/20/1927	
469	237	Rogers, Ernest D.	Route 3, Box 247, Rock Hill, SC	M	8/7/1942	
470	.....	Rogers, Fred Kelly	Route 3, Box 247, Rock Hill, SC	M	7/20/1946	Rogers, Mary Jane-239.
471	238	Rogers, Jimmie	Route 3, Box 247, Rock Hill, SC	M	6/21/1941	
472	.....	Rogers, John Alvin	Route 3, Box 247, Rock Hill, SC	M	4/22/1948	Rogers, Mary Jane-239.
473	.....	Rogers, Larry Dwayne	Route 3, Box 247, Rock Hill, SC	M	6/27/1949	Rogers, Mary Jane-239.
474	.....	Rogers, Mary Beth	Route 3, Box 247, Rock Hill, SC	F	4/5/1953	Rogers, Mary Jane-239.
475	239	Rogers, Mary Jane	Route 3, Box 247, Rock Hill, SC	F	2/6/1921	
476	.....	Rogers, Ronnie	Route 3, Box 247, Rock Hill, SC	M	12/22/1944	Rogers, Mary Jane-239.
477	.....	Rogers, Steven Olin	Route 3, Box 247, Rock Hill, SC	M	3/21/1956	Rogers, Mary Jane-239.
478	.....	Rogers, Timothy Deen	Route 3, Box 247, Rock Hill, SC	M	2/20/1955	Rogers, Mary Jane-239.
479	.....	Rogers, Wanda Sue	Route 3, Box 247, Rock Hill, SC	F	5/8/1950	Rogers, Mary Jane-239.
480	240	Sanders, Ada I.	Route 3, Box 136, Rock Hill, SC	F	3/25/1931	
481	241	Sanders, Albert H., Sr.	Route 3, Box 136, Rock Hill, SC	M	10/10/1904	
482	242	Sanders, Albert H., Jr.	Route 3, Box 136, Rock Hill, SC	M	10/28/1926	

FINAL ROLL OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA—PREPARED PURSUANT TO THE ACT OF SEPTEMBER 21, 1959 (73 STAT. 592)—Continued

Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
483	.....	Sanders, Ann Garnet	Route 3, Box 136, Rock Hill, SC	F	2/8/1949	Sanders, Albert-241 and Sanders, Vera-262.
484	256	Sanders, Anna Mahovia	Route 3, Box 228, Rock Hill, SC	F	9/15/1937	
485	243	Sanders, Arzada	Route 3, Box 228, Rock Hill, SC	F	7/3/1896	
486	.....	Sanders, Calvin Ray	741 Level St., Rock Hill, SC	M	5/23/1951	Sanders, Jack-250.
487	.....	Sanders, Caroleen	Route 3, Box 137, Rock Hill, SC	F	7/20/1944	Sanders, Willie-268 and Sanders, Verdia-263.
488	.....	Sanders, Cecil Glenn	741 Level St., Rock Hill, SC	M	4/14/1956	Sanders, Jack-250.
489	.....	Sanders, Charles Richard	Route 3, Rock Hill, SC	M	2/24/1952	Sanders, Thomas-261.
490	.....	Sanders, Clark A.	Route 3, Rock Hill, SC	M	2/21/1947	Sanders, Willie-268 and Sanders, Verdia-263.
491	.....	Sanders, Donald Wayne	820 North Jones Ave., Rock Hill, SC	M	2/19/1953	Sanders, William-267.
492	.....	Sanders, Doris Jean	741 Level St., Rock Hill, SC	F	4/11/1954	Sanders, Jack-250.
493	.....	Sanders, Dot Mirian	Route 3, Box 224, Rock Hill, SC	F	11/20/1944	Sanders, Kirk-251 and Sanders, Sarah Lee-260.
494	248	Sanders, Early Fred	575 North First St., West Salt Lake City, UT.	M	4/9/1926	
495	.....	Sanders, Fred Eugene	741 Level St., Rock Hill, SC	M	10/30/1958	Sanders, Jack-250.
496	.....	Sanders, Freda Kaye	575 North First St., West Salt Lake City, UT.	F	3/15/1952	Medlin, Margaret-216 and Sanders, Fred-248.
497	172	Sanders, Freddie Grace	14 Paris St., Rock Hill, SC	F	9/5/1933	
498	.....	Sanders, Gail	14 Paris St., Rock Hill, SC	F	11/10/1950	Harris, Perry-198.
499	249	Sanders, John Idle	Route 3, Box 228, Rock Hill, SC	M	10/12/1892	
500	250	Sanders, John Jack	741 Level St., Rock Hill, SC	M	3/10/1922	
501	.....	Sanders, Jack, Jr.	741 Level St., Rock Hill, SC	M	7/12/1948	Sanders, Jack-250.
502	.....	Sanders, Marcus Emory	304 Almond St., Salt Lake City, UT.	M	4/13/1960	Sanders, William-267.
503	216	Sanders, Margaret Blue Medlin	575 North First St., West Salt Lake City, UT.	F	12/20/1924	
504	.....	Sanders, Marilyn Deloi	Route 3, Box 136, Rock Hill, SC	F	3/21/1951	Sanders, Albert-241 and Sanders, Vera-262.
505	.....	Sanders, Norma Jean	Route 3, Rock Hill, SC	F	3/31/1947	Sanders, Thomas-261.
506	198	Sanders, Perry	14 Paris St., Rock Hill, SC	M	8/3/1929	
507	.....	Sanders, Randall Dean	Route 3, Box 136, Rock Hill, SC	M	10/28/1946	Sanders, Albert-241 and Sanders, Vera-262.
508	.....	Sanders, Randolph Edward	Route 3, Rock Hill, SC	M	10/31/1950	Sanders, Thomas-261.
509	.....	Sanders, Ronald William	820 North Jones Ave., Rock Hill, SC	M	12/23/1950	Sanders, William-267.
510	.....	Sanders, Ruthie Mae	Route 3, Box 137, Rock Hill, SC	F	3/23/1949	Sanders, Willie-268 and Sanders, Verdia-263.
511	.....	Sanders, Sandra D.	Route 3, Box 137, Rock Hill, SC	F	11/21/1951	Sanders, Willie-268 and Sanders, Verdia-263.
512	.....	Sanders, Sonji Nell	575 North First St., West Salt Lake City, UT.	F	7/28/1953	Medlin, Margaret-216 and Sanders, Fred-248.
513	.....	Sanders, Susan Juanita	Route 3, Box 136, Rock Hill, SC	F	12/3/1943	Sanders, Albert-241 and Sanders, Vera-262.
514	.....	Sanders, Thomas Cornelius	Route 3, Rock Hill, SC	M	3/11/1946	Sanders, Thomas-261.
515	261	Sanders, Thomas McCloud	Route 3, Rock Hill, SC	M	1/27/1924	
516	207	Sanders, Velda Harris	14 Paris St., Rock Hill, SC	F	10/1/1936	
517	262	Sanders, Vera L. Blue	Route 3, Rock Hill, SC	F	8/21/1909	
518	263	Sanders, Verdia H.	Route 3, Box 137, Rock Hill, SC	F	6/6/1902	
519	267	Sanders, William Emory	304 Almond St., Salt Lake City, UT.	M	10/7/1928	
520	268	Sanders, Willie A.	Route 3, Box 137, Rock Hill, SC	M	2/20/1907	
521	.....	Sanders, William Louie	Route 3, Box 137, Rock Hill, SC	M	7/14/1937	Sanders, Willie-268 and Sanders, Verdia-263.
522	.....	Sanders, Willie Mack	Route 3, Rock Hill, SC	M	4/11/1948	Sanders, Thomas-261.
523	133	Schutte, Geneva Geraldine	1759 Woodbury Rd., Pasadena, CA	F	12/25/1934	
524	245	Sigman, Brenda Corneal	Route 3, Box 136, Rock Hill, SC	F	4/26/1941	
525	.....	Simmers, Daniel Taylor	Route 3, Rock Hill, SC	M	2/3/1945	Sanders, Marie-257.
526	.....	Simmers, Gerald Ray	Route 3, Rock Hill, SC	M	8/3/1948	Sanders, Marie-257.
527	.....	Simmers, James Leon	Route 3, Rock Hill, SC	M	9/22/1950	Sanders, Marie-257.
528	.....	Simmers, Joan Rebecca	Route 3, Rock Hill, SC	F	5/28/1947	Sanders, Marie-257.
529	257	Simmers, Marie Sanders	Route 3, Rock Hill, SC	F	10/28/1926	
530	.....	Simmers, Mildred Leona	Route 3, Rock Hill, SC	F	3/22/1955	Sanders, Marie-257.
531	.....	Simmers, Pamela Jean	Route 3, Rock Hill, SC	F	8/10/1953	Sanders, Marie-257.
532	.....	Simmers, Rocky Vernon	Route 3, Rock Hill, SC	M	11/16/1956	Sanders, Marie-257.
533	187	Spivey, Letta Harris	Route 2, Box 104, Chesney, SC	F	6/15/1942	
534	.....	Smith, Betty Ruth	Route 6, Spartanburg, SC	F	3/4/1948	George, Margaret-143.
535	.....	Smith, Lula Annette	Route 6, Spartanburg, SC	F	6/29/1955	George, Margaret-143.
536	143	Smith, Margaret Rebecca	Route 6, Spartanburg, SC	F	9/24/1927	
537		Smith, Robert Earl	Route 6, Spartanburg, SC	M	1/7/1951	George, Margaret-143.

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Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
538	219	Smith, Shiela Rita Petty	Box 119, Coward, SC	F	8/31/1943	
539	291	Stevens, Barbara Wright	835 Dekalb Ave., Portsmouth, VA	F	1/2/1939	
540		Stokes, Barry D.	10 Henry St., Camden, SC	M	6/19/1958	Canty, Stella-95.
541		Stokes, Billy J.	10 Henry St., Camden, SC	M	11/29/1954	Canty, Stella-95.
542		Stokes, Daniel L.	10 Henry St., Camden, SC	M	2/8/1960	Canty, Stella-95.
543		Stokes, Kenneth R.	10 Henry St., Camden, SC	M	2/4/1953	Canty, Stella-95.
544		Stokes, Robert L.	10 Henry St., Camden, SC	M	8/17/1956	Canty, Stella-95.
545		Stokes, Sandra K.	10 Henry St., Camden, SC	F	7/30/1957	Canty, Stella-95.
546	95	Stokes, Stella B. Canty	10 Henry St., Camden, SC	F	4/5/1935	
547	197	Strickland, Pearly Harris	Route 3, Box 205, Rock Hill, SC	F	2/14/1907	
548	126.	Teaster, Etta D. George	Route 4, Gaffney, SC	F	4/17/1931	
549		Teaster, Hazel Elizabeth	Route 4, Gaffney, SC	F	11/13/1951	George, Etta-126.
550		Teaster, Jessie Elaine	Route 4, Gaffney, SC	F	2/27/1955	George, Etta-126.
551		Teaster, Jimmie Eugene	Route 4, Gaffney, SC	M	8/6/1953	George, Etta-126.
552		Teaster, Ransom	Route 4, Gaffney, SC	M	2/21/1960	George, Etta-126.
553		Teaster, Virginia Claudette	Route 4, Gaffney, SC	F	5/12/1950	George, Etta-126.
554		Teaster, William Glenn	Route 4, Gaffney, SC	M	4/18/1949	George, Etta-126.
555		Tessner, Ann	Route 1, Chesney, SC	F	10/15/1954	Robbins, Ruth-233.
556		Tesner, Margie	Route 1, Chesney, SC	F	4/23/1949	Robbins, Ruth-233.
557	233	Tessner, Ruth Robbins	Route 1, Chesney, SC	F	4/7/1936	
558	68	Thatcher, Harold L.	Route 3, Box 213, Rock Hill, SC	M	2/12/1929	
559		Thatcher, Harold Lloyd	Route 3, Box 213, Rock Hill, SC	M	6/13/1958	Brown, Harold Thatcher-68.
560		Thatcher, Joyce Pamela	Route 3, Box 213, Rock Hill, SC	F	2/25/1955	Brown, Harold Thatcher-68.
561		Thatcher, Mathew Tyler	Route 3, Box 213, Rock Hill, SC	M	6/9/1956	Brown, Harold Thatcher-68.
562		Thatcher, Myra June	Route 3, Box 213, Rock Hill, SC	F	3/13/1953	Brown, Harold Thatcher-68.
563		Thatcher, Steven Keith	Route 3, Box 213, Rock Hill, SC	M	2/13/1954	Brown, Harold Thatcher-68.
564		Thomas, Christopher Dewain	Route 3, Box 220, Rock Hill, SC	M	8/29/1959	Thomas, Randolph-274.
565	272	Thomas, Cleo B.	Route 3, Box 220, Rock Hill, SC	F	7/11/1919	
566	274	Thomas, Emory R.	Route 3, Box 220, Rock Hill, SC	M	1/7/1936	
567	150	Thomas, Gladys Gordon	Route 3, Rock Hill, SC	F	8/22/1921	
568		Thomas, Larry Allen	Route 3, Rock Hill, SC	M	7/11/1950	Gordon, Gladys-150.
569		Thomas, Louis Scott	Route 3, Rock Hill, SC	M	7/19/1957	Gordon, Gladys-150.
570	270	Thomas, Margaret Ann	Route 3, Box 220, Rock Hill, SC	F	6/18/1943	
571		Thomas, Timothy Randolph	Route 3, Box 220, Rock Hill, SC	M	8/10/1958	Thomas, Randolph-274.
572		Thompson, Bobby, Jr.	Route 3, Box 136, Rock Hill, SC	M	8/4/1958	Sanders, Lois-254.
573		Thompson, Kathy Elizabeth	Route 3, Box 136, Rock Hill, SC	F	11/30/1956	Sanders, Lois-254.
574	254	Thompson, Lois Elaine Sanders	Route 3, Box 136, Rock Hill, SC	F	12/21/1933	
575		Thompson, Patricia Ann	Route 3, Box 136, Rock Hill, SC	F	9/29/1954	Sanders, Lois-254.
576	276	Trimnal, Gloria June	Route 3, Box 42, Rock Hill, SC	F	6/5/1938	
577	275	Trimnal, Mae Carol	Route 3, Box 42, Rock Hill, SC	F	9/2/1943	
578	277	Trimnal, Roger Snow	Route 3, Box 42, Rock Hill, SC	M	1/23/1940	
579	278	Trimnal, Virginia Blue	Route 3, Box 42, Rock Hill, SC	F	12/4/1920	
580		Varnadore, Karen	767 Cedar St., Rock Hill, SC	F	1/2/1957	Sanders, Laura-252.
581	252	Varnadore, Laura M. Sanders	767 Cedar St., Rock Hill, SC	F	12/21/1933	
582		Varnadore, Renee	767 Cedar St., Rock Hill, SC	F	5/2/1958	Sanders, Laura-252.
583		Varnadore, Ronnie	767 Cedar St., Rock Hill, SC	M	8/29/1959	Sanders, Laura-252.
584	293	Vick, Mary Wright	3111 Brighton St., Portsmouth, VA	F	1/2/1941	
585		Vinson, Eric Wheeler	Route 3, Rock Hill, SC	F	10/3/1957	Sanders, Lou Gene-255.
586	255	Vinson, Lou Gene Sanders	Route 3, Rock Hill, SC	F	5/27/1940	
587		Wade, Baxter Bruce	Waighton P.O., Winston-Salem, NC	M	10/23/1949	Wade, William-284.
588		Wade, Buford	Waighton P.O., Winston-Salem, NC	M	10/26/1948	Wade, William-284.
589		Wade, Cathie Yvonne	Waighton P.O., Winston-Salem, NC	F	2/3/1954	Wade, William-284.
590		Wade, Cleave Harrison	Waighton P.O., Winston-Salem, NC	M	3/3/1951	Wade, William-284.
591		Wade, Connie Steve	Route 3, Rock Hill, SC	M	10/29/1946	Wade, Esmerlia-279 and Harris, Florence-167.
592		Wade, Cynthia	Waighton P.O., Winston-Salem, NC	F	8/8/1946	Wade, William-284.
593	280	Wade, Edith Frances	Route 3, Box 214, Rock Hill, SC	F	2/28/1924	
594	167	Wade, Florence R. Harris	Route 3, Rock Hill, SC	F	4/28/1922	
595		Wade, Frieda Marilyn	Route 3, Rock Hill, SC	F	11/5/1949	Wade, Esmerlia-279 and Harris, Florence-167.
596		Wade, Glenn Hampton	Waighton P.O., Winston-Salem, NC	M	2/27/1947	Wade, William-284.
597	281	Wade, Horace Gary, Sr.	Route 3, Box 214, Rock Hill, SC	M	9/24/1922	
598		Wade, Horace Gary, Jr.	Route 3, Box 214, Rock Hill, SC	M	11/21/1944	Wade, Gary Harris-281 and Wade, Francis Canty-280.
599		Wade, Joy Mardine	Route 3, Rock Hill, SC	F	7/15/1954	Wade, Esmerlia-279 and Harris, Florence-167.
600		Wade, Michael Gregg	Route 3, Box 214, Rock Hill, SC	M	4/27/1947	Wade, Gary Harris-281 and Wade, Francis Canty-280.
601	279	Wade, Rella (Esmerilla)	Route 3, Rock Hill, SC	F	9/4/1917	

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Roll No.	1960 roll No.	Name	Address	Sex	Date of birth	Remarks: Name and roll number of parent on 1960 roll
602	282	Wade, Sallie	Route 3, Rock Hill, SC	F	4/28/1895	
603	283	Wade, Sherry Geraldine	Route 3, Box 214, Rock Hill, SC	F	12/8/1942	
604	284	Wade, William Perry	Route 3, Rock Hill, SC	M	7/19/1927	
605		Wade, William Perry, Jr.	Waughton P.O., Winston-Salem, NC	M	2/1/1953	Wade, William-284.
606		Warner, Cheryl Ann	429 Beitler St. NE, New Philadelphia, OH.	F	6/26/1946	Warner, Ethel-286.
607	286	Warner, Cora Ethel	429 Beitler St. NE, New Philadelphia, OH.	F	10/14/1924	
608		Warner, Oliver Dale	429 Beitler St. NE, New Philadelphia, OH.	M	6/12/1944	Warner, Ethel-286.
609	287	Watts, Clifford O'Dell	848 Dakin, Apt. 23, Chicago, IL	M	5/25/1923	
610		Watts, Donna Leola	60 Wesy 2nd North, Salt Lake City, UT.	F	2/20/1953	Watts, Eula-288 and Watts, William-289.
611		Watts, Edwin Larson	60 West 2nd North, Salt Lake City, UT.	M	4/12/1951	Watts, Eula-288 and Watts, William-289.
612	288	Watts, Eula Sanders	60 West 2nd North, Salt Lake City, UT.	F	8/31/1919	
613		Watts, Janice Dorenda	60 West 2nd North, Salt Lake City, UT.	F	8/4/1944	Watts, Eula-288 and Watts, William-289.
614		Watts, Milton Everett	60 West 2nd North, Salt Lake City, UT.	M	10/10/1947	Watts, Eula-288 and Watts, William-289.
615	289	Watts, William D.	60 West 2nd North, Salt Lake City, UT.	M	7/26/1920	
616	290	Watts, William David, Jr.	60 West 2nd North, Salt Lake City, UT.	M	11/1/1944	
617	285	White, Eber Walter	Route 1, York, SC	M	6/5/1940	
618		Williford, Connie Patricia	216 Wood St., Rock Hill, SC	F	9/25/1955	Sanders, Vivien-264.
619	264	Williford, Vivian Sanders	216 Wood St., Rock Hill, SC	F	1/31/1934	
620		Wilson, Donna	1960 Rainey St., Rock Hill, SC	F	2/24/1956	Harris, Rosa-204.
621		Wilson, Edwin	1960 Rainey St., Rock Hill, SC	M	5/25/1959	Harris, Rosa-204.
622		Wilson, Jan	1960 Rainey St., Rock Hill, SC	F	1/3/1954	Harris, Rosa-204.
623	204	Wilson, Rose Harris	1960 Rainey St., Rock Hill, SC	F	4/11/1933.	
624		Wilson, Steve	1960 Rainey St., Rock Hill, SC	M	10/24/1957	Harris, Rosa-204.
625	621	Wilson, Violet	Route 3, Rock Hill, SC	F	7/30/1934	
626		Wilson, Charlotte Yvonne	1419 Maple Ave., Portsmouth, VA ...	F	6/2/1944	Wright, Mary Ethel-292.
627		Wright, Lewis A., Jr.	1419 Maple Ave., Portsmouth, VA ...	M	9/25/1953	Wright, Mary Ethel-292.
628	292	Wright, Mary Ethel Foxx	1419 Maple Ave., Portsmouth, VA ...	F	10/6/1919	
629		Yates, Catherine Valerie	Route 3, Box 211, Rock Hill, SC	F	9/29/1958	Beck, Rachel-24.
630		Yates, Karen Rebecca	Route 3, Box 211, Rock Hill, SC	F	9/9/1955	Beck, Rachel-24.
631	23	Yates, Rachel Beck	Route 3, Box 211, Rock Hill, SC	F	10/16/1933	

Following is the current membership roll as prepared by the Catawba Tribe's Executive Committee and approved for presentation to the Bureau of Indian Affairs in the August 1993 meeting of the General Council:

Roll No.	Name
1	Ackley, Constantine Puckett.
3	Adams, Amanda Brooke.
4	Adams, Andre Darris.
2069	Adams, Christina Elizabeth.
6	Adams, Clarence Roddey.
1769	Adams, Dewey Lee.
9	Adams, Ericka Leigh.
10	Adams, Franklin Douglas.
11	Adams, Franklin Douglas Jr.
13	Adams, James Robert.
14	Adams, Jamie Shea.
2068	Adams, Jeremy Alexander.
16	Adams, Kimberly Denise.
17	Adams, Lawrence R.
19	Adams, Mamie.
15	Adams, Nelson Judson (Judd).

Roll No.	Name	Roll No.	Name
21	Addyman, Frances Inez.	41	Ayers, Allan Don.
22	Adkins, Judy Gail.	42	Ayers, Amy Lynn.
23	Adkins, Robert Alvin.	43	Ayers, April L.
24	Adkins, Sharon Gwen.	2314	Ayers, Ashley Elizabeth.
25	Alboght, Virginia C.	44	Ayers, Avery Stuart.
26	Aldridge, Charles Anthony.	45	Ayers, Claude Kenneth.
27	Aldridge, Christopher Lee.	46	Ayers, Dennis E.
29	Allen, Angelia Renee.	47	Ayers, Ernest Wade Jr.
32	Allen, Cindy.	48	Ayers, Foxx E.
30	Allen, Ellen Deloria.	49	Ayers, Jessica Lynne.
31	Allen, Henry Lester.	50	Ayers, John.
33	Allen, Teresa Deloria.	51	Ayers, Johnnie Nelson.
34	Allred, Jimmie Lee.	52	Ayers, Johnnie Nelson Jr.
36	Anderson, Betty Jo.	55	Ayers, Ralph Lewis.
1758	Andrew, Paul.	56	Ayers, Robert Heber.
2315	Armenta, Holly Diana.	57	Ayers, Roger Dale.
2070	Arminter, Jose Javier.	58	Ayers, Sara H.
956	Arminter, Kimberly Dawn.	59	Ayers, Teresa Diane.
2071	Arminter, Sophia.	60	Ayers, Tiffany Lee.
2180	Austin, Hollie Leigh.	62	Ayers, William Frell Jr.
2179	Austin, Jason Eugene.	2277	Bagley, Donice.
38	Auten, Amy Carrie.	2094	Bagley, Frances Virginia.
39	Auten, Shirley Mae.	65	Bagley, Jacqueline Diane.
40	Auten, Tonda Marjean.	66	Bagley, John Wayne.

Roll No.	Name	Roll No.	Name	Roll No.	Name
1553	Bailey, Amanda Marie.	2343	Blackwell, James Harold.	199	Brindle, Kimberly Gay Brindle.
67	Bailey, Dean.	135	Blackwell, Tammy Anise.	200	Brindle, Lorinda Ann.
1533	Bailey, Fanchon.	136	Blackwood, Elizabeth Kay Usher.	201	Brindle, Melvin Lester.
68	Bailey, Jan.	137	Blue, Andrew Gene.	202	Brindle, Missouri Elizabeth.
1551	Bailey, Jason Wade.	173	Blue, Arnold L. Jr.	203	Brindle, Patricia Lucille.
1550	Bailey, Karen Angela.	138	Blue, Betty Harris.	204	Brindle, Walter Andrew Jr.
69	Bailey, Mary Joe Ann.	139	Blue, Bobby Everette.	205	Brindle, Walter Andrew.
1481	Bailey, Michael LeRoy.	140	Blue, Bobby Reid.	2347	Brooks, Arthur Dale.
1552	Bailey, Robert Wayne.	142	Blue, Carrie Lynn.	2345	Brooks, Christopher Thomas.
1480	Bailey, Tamara Lynn.	143	Blue, Carson Taylor.	2348	Brooks, Janice Amelia.
2372	Baird, April Marie.	144	Blue, Charles Patrick.	2346	Brooks, Joseph Lee.
2369	Baird, Kimberly Denise.	145	Blue, Christopher.	206	Brown, Arnold Dean.
2371	Baird, McRandall Lawrance.	165	Blue, Christy Shanon.	208	Brown, Bobby Norman.
70	Baker, Clara.	146	Blue, Corie Michael.	2203	Brown, Christopher E.
71	Baker, Kathy Yvonne.	147	Blue, Crystal.	2098	Brown, Crystal Dawn.
72	Baker, Robert.	2342	Blue, Danna Lynn.	209	Brown, Cynthia Dawn.
73	Baker, Sallie Elaine.	149	Blue, Douglas Keith.	210	Brown, David Lee.
77	Bail, Brenda Corneal.	152	Blue, Gilbert B.	2202	Brown, David W.
84	Barber, David Kyle.	153	Blue, Glenn T.	211	Brown, Donald Lester.
85	Barker, Barbara Jean.	155	Blue, Harry Reid.	212	Brown, Donald Lester Jr.
86	Barker, Cara Michelle.	157	Blue, Heather Ashley.	213	Brown, Donald Richard.
87	Barker, Elizabeth Marie.	158	Blue, Henry Leroy.	217	Brown, Eric Lee.
2319	Barnes, Cory Neil.	159	Blue, Herbert Roosevelt.	218	Brown, Gary William.
2338	Barnes, Justin Mark.	160	Blue, Jeffrey Travis.	220	Brown, Harold Dean.
89	Barnes, Saron Jean.	162	Blue, Jessica Lee Ann.	221	Brown, Hazel Edward Jr.
2320	Barnes, Tiffany Michelle.	163	Blue, Jonathan.	257	Brown, Hazel Edward Sr.
91	Bauer, JoAnn.	164	Blue, Kelly Labrian.	222	Brown, Jamie Gail.
92	Bauer, Lawrence Peter III.	166	Blue, Mildred Louise.	223	Brown, Janet.
93	Baumgardner, Cheryl Ann.	167	Blue, Nathan Taylor.	2205	Brown, Jessica E.
2193	Baumgardner, Harlie Kristina.	168	Blue, Nathan Timothy.	224	Brown, Jessica Wenonah.
94	Baumgardner, Robert Dale.	174	Blue, Randall L. Jr.	225	Brown, Jessie Thomas.
95	Baumgardner, Sheryl Lynn.	169	Blue, Randall Lavon Sr.	226	Brown, Joel Lee.
2092	Baumgardner, Teresa Marie.	170	Blue, Rebecca.	2296	Brown, John Edward.
96	Baumgardner, William Arthur Jr.	171	Blue, Samuel Andrew Wheelock.	228	Brown, John Jeffery.
97	Beasler, Louise.	2341	Blue, Steven Shawny.	256	Brown, John Samuel Jr.
99	Beck, Donald Jeffery.	172	Blue, Timothy E.	2353	Brown, Joshau Wayne.
100	Beck, Duane Early.	2194	Bodiford, Bruce Marvin.	229	Brown, Karen Diane.
102	Beck, Fletcher B.	175	Bodiford, Dana Michelle.	1762	Brown, Kayla Michelle.
103	Beck, Fletcher C.	2269	Bodiford, Donald Bruce.	2352	Brown, Kelly Marie.
2090	Beck, Gerald Leon III.	176	Bodiford, Hazel Dewey.	230	Brown, Leola.
104	Beck, Gerald Leon Jr.	2268	Bodiford, Ted Dewey.	231	Brown, Lewis Herman II
2553	Beck, Gerald Sr.	177	Bodiford, Terriol James (Terry).	258	Brown, Lewis Herman Sr.
105	Beck, Jason Roderick.	2095	Boone, Brandy Leshae.	2326	Brown, Mandy Marie.
106	Beck, Jennifer Ann.	178	Boone, Jimmy David.	232	Brown, Mary Leigh Ann.
107	Beck, Jeremy Ryan.	2096	Boone, Joshua Wayne.	233	Brown, Mary Lynn.
108	Beck, John C.	2186	Bouler, Thomas Dean.	2175	Brown, Melissa Michelle.
109	Beck, John Henry.	2273	Bouler, Tony Alan Jr.	234	Brown, Michael Edward Jr.
110	Beck, Kimberly Lynn.	2339	Boyd, Shannon Nicole.	2351	Brown, Michael Edward.
111	Beck, Lulu S.	2099	Brackett, Tehra Jansen.	235	Brown, Milisse Michelle.
126	Beck, Major H. Jr.	179	Brackett, Tyson Wade.	236	Brown, Myra Edith.
112	Beck, Margaret Helen.	180	Brackett, Vickie Jane.	237	Brown, Otis Roddey.
2075	Beck, Matthew Kyle.	2195	Bradford, Naomi Christine.	238	Brown, Otis Wayne.
114	Beck, Michael Tray.	1494	Bradley, Susan D.	239	Brown, Owen Keith.
115	Beck, Randall Scott.	181	Brady, Michael Scott.	240	Brown, Pamela Sue.
116	Beck, Roderick Neil.	182	Branham, Annie Maria.	241	Brown, Patrick Neal.
117	Beck, Ronald Lee Jr.	183	Branham, Charlotte Ann.	2097	Brown, Robbie Lee.
118	Beck, Ronnie Lee.	2166	Branham, Kristopher Lee.	244	Brown, Robert Charles.
121	Beck, Samuel Michael.	184	Branham, Oliver Lee.	1563	Brown, Robert Stephen.
120	Beck, Samuel Mitchell.	1507	Branham, Rodden Holden.	245	Brown, Sally.
123	Beck, Tammy Rae.	186	Branham, William Lamont.	246	Brown, Sandy Michelle.
124	Beck, Tara M.	2301	Brazzell, Della Melissa.	247	Brown, Scottie Eugene.
2555	Beck, Tiffanie Denise.	187	Brazzell, Edward H., Jr.	1763	Brown, Stephanie Nicole.
440	Bennett, Carol Lynn.	2302	Brazzell, Patsy Denise.	248	Brown, Tammy Ann.
2192	Bennett, Timothy Wade.	2303	Brazzell, Patty Darnell.	249	Brown, Teresa Diana.
2356	Biggers, Lewis Steven.	551	Breakfield, Laura Kay.	250	Brown, Tommy Clyde.
2355	Biggers, Melissa Kaye.	188	Brewton, Kevin Ray.	2350	Brown, Troy Dean.
2316	Biggerstaff, Alicia Beth.	190	Bridges, Ellen Canty.	251	Brown, Troy Gene.
128	Bishop, Lillie B. (Wilburn).	191	Bridges, Wanda Jean.	2324	Brown, Troy Jane.
129	Black, Dicy Anna.	192	Brindle, Carl.	2327	Brown, Whitney Marie.
130	Black, Jerry Keith.	193	Brindle, Catherine Denise.	252	Brown, William.
131	Blackmon, Baer Bryant.	194	Brindle, Cynthia Dianne.	253	Brown, William Clifford.
132	Blackmon, Donna.	195	Brindle, Frank Wayne.	254	Brown, William Larry Brown.
1534	Blackmon, Marissa Ann.	196	Brindle, Jason Carl.	255	Brown, Winona Lyne.
133	Blackwell, Brandon D.	1565	Brindle, Jennifer Lynn.	214	Bruce, Donna Jo.

Roll No.	Name	Roll No.	Name	Roll No.	Name
259	Bryson, Mahovie S.	325	Canty, Eugene.	386	Caudle, Sylvia Blue.
260	Bryson, Myrtle Blanche Harris.	327	Canty, Heyward Jackson Jr.	2219	Charles, Christopher Anthony.
262	Bryson, Sanford A. Jr.	329	Canty, Huey C.	388	Charles, Donna.
2065	Bryson, Stanley Anzle.	330	Canty, James Henry.	2141	Charles, Donna Lucille.
2064	Bryson, Tasha Lynn.	2217	Canty, Jamie Dawn.	387	Charles, Lyda.
2063	Bryson, Trisha Anzle.	362	Canty, Jared Scott.	389	Cherry, Alice Elaine.
1956	Buckaloo, Eula Kay.	331	Canty, Jarom Dean.	390	Cherry, Donald Ray.
2181	Buckaloo, Mark Anthony Jr.	332	Canty, Jeffery Neal.	2222	Cherry, Eula May.
2483	Buckaloo, Nicholas Cody.	2059	Canty, Jessica Lynn.	391	Cherry, James Columbus Jr.
1772	Burciago, Carol O.	2216	Canty, Jessica Mishelle.	1495	Cherry, Jennifer E.
264	Burciago, Linda Ann.	333	Canty, Jessica Suzan.	392	Cherry, Jimmy Dean.
265	Burgess, Tondia Carol.	334	Canty, Jonathan Jered.	1496	Cherry, Scott R.
2101	Burns, Andrew Scott.	335	Canty, Jonathan Kyle.	2072	Childers, Teresa W.
2100	Burns, James Rose.	337	Canty, Karen Tennille.	393	Clark, Cheryl Darlene.
266	Burns, James Vernon.	338	Canty, Kathy Elizabeth.	394	Clark, Nathan.
267	Burns, Kenneth A. Jr.	340	Canty, Lance.	395	Cline, James Patrick Jr.
268	Burns, Lizzie Jane.	341	Canty, Lawrence L. Jr.	396	Cline, Shirley Lynn Cookson.
269	Burns, Scott Dennis.	342	Canty, Leonard James.	398	Colley, Anna M.
270	Burris, Brittany Susan.	343	Canty, Leonard Taylor.	399	Collins, Connie Patricia.
271	Burris, Kimberly Sue.	2213	Canty, Marcus LaCurt.	2360	Collins, Daniel Howard.
272	Burris, Matthew Douglas.	344	Canty, Marion.	400	Collins, James David.
2139	Byers, David W.	345	Canty, Marion I.	78	Collins, Mallinda Darlene.
2140	Byers, Roger James.	346	Canty, Martha Nicole.	401	Colter, Lisa Kristine.
275	Byrd, Marsha (Simmers).	2290	Canty, Natalie Shawnte W.	402	Cookson, Amber Jewell.
274	Byrd, Timothy James.	2292	Canty, Quinlan Russell Schutte.	403	Cookson, Christene Lee.
286	Cabaniss, Airoe Ann.	347	Canty, Rhonda Renee.	404	Cookson, Christian Darryl.
277	Cabaniss, Amanda Jo.	348	Canty, Robert Kirk.	2359	Cookson, Corey A.
278	Cabaniss, Daniel Hargrove.	350	Canty, Ronald Vance.	2358	Cookson, Jeremy R.
279	Cabaniss, Jennifer Dawn.	351	Canty, Scott Dell.	405	Cookson, Jewell Shirley Harris.
280	Cabaniss, Marcille.	352	Canty, Shaun Travis.	406	Cookson, Ricardo Harris.
281	Cabaniss, Mary Catherine.	2291	Canty, Stephanie Britt.	407	Cooper, David Lee.
282	Cabaniss, Nicole Beth.	353	Canty, Steve.	408	Cooper, Erica Shawta.
283	Cabaniss, Thomas.	354	Canty, Suzanne Marie.	409	Copper, Lisa Maureen.
287	Cabaniss, William Forrest Jr.	355	Canty, Tammy Rena.	410	Corbridge, Nicole Leigh.
284	Cabaniss, William Heath.	356	Canty, Teresa Diane.	411	Corbridge, Sandra Marlene.
285	Cabaniss, Zoe Marie.	357	Canty, Timothy Dean.	412	Corder, Cecil Idus.
288	Cameron, Sandra K.	2144	Canty, Timothy Joseph.	413	Corder, Christopher W.
289	Campbell, Damian.	358	Canty, Tina.	415	Corder, James Ralph Jr.
290	Campbell, Edwin.	359	Canty, Tonda M.	417	Corder, Joyce I.
291	Campbell, Ella Rich.	360	Canty, Wallace Lee Jr.	414	Corder, Joyce Martin.
296	Campbell, Kim.	361	Canty, Wallace Lee Sr.	998	Cornwell, Tonya Nicole.
292	Campbell, Nola.	1562	Caponis, Jennifer.	963	Crawford, Julia May.
293	Campbell, Paul Edward.	363	Caponis, John Alvin.	418	Crawford, Tammy R.C.
294	Campbell, Phillip Christopher.	2102	Caponis, Miranda Lynn.	419	Croft, James Franklin.
295	Campbell, Susan Juanita.	366	Caponis, Reina.	2104	Culbertson, Jason Eric.
297	Canfield, Dana Marlene.	368	Carpenter, Christopher Sylvanus Jr.	2196	Curtis, Carl Nathan.
298	Canfield, Steven Jerrial.			421	Curtis, Donna.
299	Canty, Alonzo George Jr.	369	Carpenter, Glenda Naomi.	2197	Curtis, Michael Shannon.
300	Canty, Alvin B.	370	Carpenter, Jane Dillon.	2515	Cuthbert, Catherine Azlee.
301	Canty, Alvin Huey.	371	Carpenter, Paul Michael.	2	Dabney, Alan Dwayne Adams.
302	Canty, Amelia Brooke.	372	Carpenter, Sandra Yvone.	2366	Davis, Barry Joseph.
303	Canty, Anthony Scott.	2448	Carroll, Amber Nichole.	422	Davis, Christina Renee.
304	Canty, April Denise.	2447	Carroll, Ernest Haskel III.	423	Davis, Danelle Hazel Martin.
306	Canty, Billie Huey.	1624	Carroll, Karen Elaine.	2364	Davis, Desiree Melinda.
307	Canty, Billie Jack.	374	Carver, Jack Monroe Jr.	424	Davis, Frances L.
308	Canty, Bobby Dean.	375	Carver, Jacqueline Delores.	426	Davis, Freddie Horne.
309	Canty, Carolyn Denise.	376	Carver, Kenneth Wayne.	428	Davis, Jayson Lee.
310	Canty, Catherine Sanders.	2218	Carver, Kristen Danielle.	429	Davis, Linda Annette.
311	Canty, Cecil Ray.	377	Carver, Mary Delores.	430	Davis, Michelle Angelina.
312	Canty, Charles Ray.	378	Carver, Tracy.	2365	Davis, Shane Christopher.
313	Canty, Cheyenne.	1468	Castagna, Loren Naomi.	431	Davis, Tanya Annette.
315	Canty, Christopher Chad.	2547	Catoe, Cerra Leann.	432	Deal, Daylon Gene.
314	Canty, Christopher Lance.	379	Catoe, Francine.	433	Deal, Stephen Brian.
2149	Canty, Christopher Lee.	2255	Catoe, Herbert Pascal.	434	Deal, Susan.
316	Canty, Clifford Troy.	380	Catoe, Jutanna Suzette.	435	Deal, Waylon Dean.
2215	Canty, Curtis Ray Jr.	460	Catoe, Lesslie June.	273	Dellinger, Cansandra Felice.
317	Canty, Curtis Ray Sr.	2253	Catoe, Richard David.	2105	Dietrich, James Emanuel.
318	Canty, Diane.	441	Catoe, Valerie Francine.	442	Dresser, Victoria.
319	Canty, Eddie Henderson.	2254	Catoe, William Brad.	443	Driggers, Angela Marie.
320	Canty, Edwin B.	381	Caudle, Edward Chris.	444	Driggers, Betty.
2214	Canty, Emily Louise.	382	Caudle, Jennifer Rebecca.	445	Driggers, Judy Patricia.
322	Canty, Eric Jerome.	383	Caudle, Kenneth Darrell.	446	Driggers, Marvin Henry Jr.
2142	Canty, Erica Rose.	384	Caudle, Nichem James.	447	Dunnells, Kenneth W.
324	Canty, Erin Melissa.	385	Caudle, Rita Fay.	448	Dunnells, Jeffery L.

Roll No.	Name	Roll No.	Name	Roll No.	Name
449	Edwards, Amanda Lynn.	505	Garcia, Betty Juanita.	570	George, Roger Wayne.
450	Edwards, Cindy Lee.	506	Garcia, Bonnie.	2283	George, Sara Louise.
451	Edwards, Robert Daniel.	507	Garcia, Calvin Trever.	2297	George, Shannon Leigh.
453	Elkins, Mary Jane.	508	Garcia, Edward Guy.	572	George, Sommer Lynn.
2395	Ellison, Elizabeth Leigh-Ann.	510	Garcia, Irene Minerva.	573	George, Susan M.
2396	Ellison, Richard William II.	511	Garcia, Mindy Sue.	2281	George, Susan Marie.
2476	Ensley, Tonya Marie Mackey.	513	Garland, Steven E.	574	George, Thomas Clark.
454	Esplin, Alice Kris.	514	Garland, Vivian A.	576	George, Thomas Howard.
2134	Esplin, Colton.	515	Garner, Emily Suzanne.	2279	George, Tina Ann.
2135	Esplin, Kelsey C.	517	Garner, Mary Beth.	578	George, Tracy A.
2445	Evans, Holley Amanda.	519	Garris, Joan S.	2512	George, William Joseph
2444	Evans, Kelly Wayne.	520	Garris, Jonathan Hazel.		Corrichee.
455	Ferrell, Alberta Lavinia.	522	Garris, Shana Louise.	1478	GeorgeWarren, DeLesslin Evans.
458	Ferrell, Autumn L.	521	Garris, Zan Marie.	1477	GeorgeWarren, K.C.
457	Ferrell, Saleeshia Z.	523	Geer, Joyce.	1476	GeorgeWarren, Wanda.
459	Fife, Cheryl June.	524	Geoff, Patricia S.B.	2304	Gibson, Jason Matthew.
759	Fincher, Sharon Dale.	525	George, Amanda L.	2305	Gibson, Joshua Dekota.
2417	Ford, Brandon Ray.	2285	George, Amber Leslie.	581	Gibson, Mary Ayers.
2418	Ford, Katura Ann.	526	George, April Leigh.	2459	Giles, Christopher Ray.
2415	Ford, Melinda.	527	George, Brentley Clark.	1349	Giles, Renee.
2243	Fowler, Bobby Lee.	1510	George, Brooklyn Nicole.	2458	Giles, Shannon Leigh.
2242	Fowler, Kathy Marie.	2200	George, Bryan Wayne.	2440	Gillian, Jon Allen.
2367	Fowler, Patrick Thorne.	528	George, Charles Edward.	2441	Gillian, Rhyne Matthew.
461	Fowler, Ricky Dean.	529	George, Charles Lewis.	583	Gillilan, John Strickland Jr.
462	Fowler, Robbie Colel.	2299	George, Christopher Evans.	584	Gonzales, Donna Leola.
463	Fowler, Sandra Delores.	530	George, Claude Leonard.	585	Gordon, Carson Matthew.
2240	Fowler, Stacey Michelle.	2287	George, Courtney Elizabeth.	2231	Gordon, Cory LaBrian.
464	Fowler, Terressa Dianne.	2284	George, Crystal Lee.	587	Gordon, Sheryl Mackey.
465	Fowler, Valarie Yvonne.	531	George, Curtis Edward.	588	Gordon, Vicky Michelle.
2393	Fox, Jesse Lee.	2198	George, Cynthia Amanda.	589	Gordon, Wesley Olin.
2394	Fox, Jessica Louise.	28	George, Cynthia Annette Plyler.	1502	Graham, Jason Gregory.
466	Foxx, Annette Marice.	532	George, Eddie Mac.	590	Graham, Jillian Gayle.
468	Foxx, Antonio B. III.	533	George, Elsie Blue.	1500	Graham, Jonathon Yates
467	Foxx, Antonio B. Jr.	534	George, Emily Wylie.	1501	Graham, Joseph Gartman.
469	Foxx, Atucha Ann.	580	George, Evans M. (Buck) Jr.	591	Graham, Joshua Garrison.
2391	Foxx, Brittany Dawn.	535	George, Evelyn B.	592	Graham, Karen Rebecca.
470	Foxx, Charles Winifred.	536	George, Flonnie E.	1503	Graham, Karl Ray.
2392	Foxx, Charles Winifred II.	537	George, Fred Calvin.	1504	Graham, Kevin Ross.
471	Foxx, Danny Ray.	538	George, Gregory Tige.	593	Graham, Kimberly Rebecca.
472	Foxx, Dwana Menjon.	539	George, Heather Cecelia.	1499	Graham, Kurtis Randall
473	Foxx, Ernest B.	541	George, Jennifer Annette.	2507	Green, Aaryn Rae.
2380	Foxx, Ernest Ryan.	542	George, John Albert.	2510	Green, Caitlin Elizabeth.
475	Foxx, Jimmie Cox.	543	George, John Christopher.	2424	Green, Cheryl Ann.
476	Foxx, Joey Edward.	2257	George, John Earl.	595	Green, Edward Brian.
2376	Foxx, Kari Anne.	544	George, John Early.	596	Green, Hal Ephraim.
478	Foxx, Kimberly Dinesi.	545	George, John Marvin.	597	Green, Joyce M.
2374	Foxx, Kristen Michelle.	546	George, Johnathan Nikita.	2233	Green, Justin Adam.
2373	Foxx, Leshea Breeon.	547	George, Joshua.	2508	Green, Lindsay Joyce.
479	Foxx, Lewis Angelo Basil.	548	George, Kevin Wade.	2509	Green, Norah Nicole.
480	Foxx, Louis H.	2280	George, Kevin Wade Jr.	598	Greenwood, Lisa Marie.
481	Foxx, Louis Russell.	549	George, Kristin Nicole.	2357	Gregory, Beverly Nicole.
482	Foxx, Michael Wayne.	550	George, Landrum L.	600	Greiner, Hazel Faye.
2377	Foxx, Ronald Gerry.	552	George, Lavern Randolph	601	Griffin, Alina Elvina
484	Foxx, Ronald Guy.	553	George, Lavern Randolph Jr.	602	Griggs, Belinda Faye.
485	Foxx, Steven Lewis.	554	George, Lawrence Howard.	603	Griggs, Bonita Sue.
486	Foxx, Terrill Dwayne.	2201	George, Leonard Chadwick.	1529	Griggs, Brandon Charles.
2384	Foxx, Terrill Dwayne Jr.	555	George, Lewis Brently.	604	Griggs, Christopher Charles.
2378	Foxx, Tiffany Jo.	556	George, Linda De Ann.	1527	Griggs, Jessica Lane.
487	Foxx, William C. B. Jr.	2256	George, Lisa Michelle.	606	Griggs, Lisa Anne.
488	Foxx, Willie Ray.	557	George, Lorna (Harris).	1528	Griggs, Miranda Christian.
490	Frances, Jay Robert Brian.	558	George, Marion Phillip.	607	Grobosky, Charles Christopher.
491	Francis, Patricia Hammond.	559	George, Maroni Taylor	2362	Grobosky, Joseph Stanley.
492	Francisco, Curtis Lucanio.	560	George, Marvin Kelly	609	Groff, Viola Robbins Martin.
493	Francisco, Shirley Ann.	562	George, Mary Frances.	1515	Gunn, Andrew P.
494	Francisco, Tolan Ione.	2282	George, Matthew Asher.	610	Gunn, Angie D.
2385	Frary, Alyssa Nichole.	563	George, Megan N.	611	Gunn, David Howard.
495	Frary, Christopher Paul.	564	George, Michael Allen.	2188	Gunn, David Howard Jr.
496	Frary, Dot Mirian.	2286	George, Nathan Charles.	2559	Gunn, Floyd Jr.
2145	Gable, Allen Wayne, Jr.	2199	George, Nyeoka Iona.	1514	Gunn, Floyd L. Jr.
499	Gaillard, Angelia.	566	George, Philip Keith.	612	Gunn, Floyd Lee.
500	Gaillard, Lorie Anne.	2265	George, Phillip Anthony.	613	Gunn, Lou Ella.
501	Gaillard, Nancy Marie.	2266	George, Phillip Dekota Two Bears.	614	Gunn, Mary Faye.
502	Garcia, Aletta Michele.	567	George, Rachel.	1513	Gunn, Michelle.
504	Garcia, Ben Jr.	569	George, Robert Neil.	2560	Gunn, Michelle.

Roll No.	Name	Roll No.	Name	Roll No.	Name
615	Gunn, Nancy Jane.	681	Harris, Grady Crawford.	745	Harris, Wendell Loran.
616	Gunn, Nellie Faye Canty.	682	Harris, Gregory.	746	Harris, Wilburn.
617	Gunn, Patricia Lucille.	1555	Harris, Heather Nicole.	747	Harris, Wilford Phillip.
2561	Gunn, Paul.	683	Harris, Homer Vernon.	748	Harris, Willard Leon Jr.
618	Gunn, Richard A.	684	Harris, Jacqueline Louise.	749	Harris, William J.
1512	Gunn, Richard A. Jr.	739	Harris, James Anthony.	750	Harris, Woodrow.
619	Gunn, Susan.	686	Harris, James Loren Jr.	752	Harrison, Daniel Hutchenson.
620	Gunn, Wanda Diane.	1479	Harris, James Michael.	753	Harrison, Marilyn Ann.
621	Gunton, Fannie.	687	Harris, James Wade.	754	Harvey, Frances.
622	Gunton, Geneva Geraldine.	2406	Harris, James Wade Jr.	2110	Harvey, Lacey Jaye.
623	Hafner, David Christian.	688	Harris, James William.	2111	Harvey, Samantha Renee.
624	Hafner, Myra June.	689	Harris, Jan.	755	Head, Pheobia L. D.
1474	Haire, Chrystal Louisa.	690	Harris, Jason M.	756	Hedgepath, Anne.
1475	Haire, Wenonah Caitlin.	691	Harris, Jayson Lee.	757	Hedgepath, Cora Paulette.
625	Haire, Wenonah George.	692	Harris, Jefferson W.C.	2468	Hedgepath, Robert Daniel.
742	Hall, Victoria Shelle.	693	Harris, Jeffrey.	758	Hedgepath, Ronnie Wayne.
2117	Hamacher, Heather Elizabeth.	2423	Harris, Jerry G.	760	Hedgepath, Sherman Dale Jr.
1775	Hamacher, Susan Marlene.	2083	Harris, Jessica Hope.	762	Hellewell, Caroline D.
626	Hamm, Beverly Francien.	695	Harris, Jimmy.	763	Hellewell, Shauna.
627	Hamm, Robert Leroy Hamm.	633	Harris, Jodie Kay.	764	Hellewell, Tammy.
628	Hamm, Teresa Mae.	696	Harris, John Rella.	765	Helms, Sonji Nell.
629	Hammond, Bobby Ray.	2407	Harris, Jonathon David.	766	Henderson, Adrene.
2429	Hammond, Christopher Ian.	698	Harris, Joseph W.	767	Henderson, Amy.
2428	Hammond, David Kenneth.	2413	Harris, Kalum Douglas.	768	Henderson, Anita Delphine.
630	Hammond, Gerald James III.	700	Harris, Karen Ann.	769	Henderson, Nicholas.
631	Hammond, Nora Lee.	701	Harris, Kathryn.	770	Hendrix, Robert F. Jr.
635	Harris, Adam.	702	Harris, Kelly Neal.	771	Hendrix, Thelma Canty.
636	Harris, Alfred Kenneth.	703	Harris, Kevin Leonard.	772	Herrind, Flonnie Evelyn.
637	Harris, Alfred Neal.	1777	Harris, Kimberly Ann.	773	Herrind, Lenny Dwayne.
708	Harris, Alice Loretta.	1021	Harris, Kimberly D.	1559	Herring, Andrea Kristi.
2402	Harris, Amanda Renee.	705	Harris, Lena May Davis Curtis.	774	Herring, Anthony David.
639	Harris, Angela M.	2079	Harris, Lester Nathaniel.	1556	Herring, Belinda Faye.
638	Harris, Angela Michella.	706	Harris, Lester Neil.	1557	Herring, Brandy Michelle.
1554	Harris, April Lynn.	707	Harris, Linda Sue.	775	Herring, Cathy Paulette.
640	Harris, Barry Dean Jr.	709	Harris, Loma C.	1558	Herring, Jamie Faye.
632	Harris, Barry Phillip Jr.	718	Harris, Luther Morgan.	776	Herring, Kimberly Diane.
641	Harris, Barry Phillip.	711	Harris, Martin Raymond.	777	Hines, Paula Delores.
642	Harris, Becky C.	2400	Harris, Megan.	778	Hitchcock, Loretta Evelyn.
643	Harris, Bertha.	712	Harris, Melanie Louise.	779	Hitchcock, Robert Carl Adam.
644	Harris, Beulah Thomas.	713	Harris, Melvin Howard.	1522	Hodge, Anne.
645	Harris, Billy Ray.	714	Harris, Michael Shane.	780	Hodge, Hazel Elizabeth.
646	Harris, Bradley Scott.	715	Harris, Michael Wayne Jr.	1524	Hodge, Jesse Alan.
2403	Harris, Brandi Michelle.	1765	Harris, Michael Wayne.	1526	Hodge, Joshua David.
2062	Harris, Brandon Beaumont.	716	Harris, Michael William.	1523	Hodge, Matthew Steven.
648	Harris, Brandy Rebecca Jenny.	717	Harris, Mitchell Oliver.	1525	Hodge, Nicholas Blair.
647	Harris, Brian Donald.	719	Harris, Nina Marea.	2333	Honaker, Nicole Danielle.
649	Harris, Brian Oswald.	720	Harris, Paul Christopher.	2114	Honeycutt, Ashley Brooke.
651	Harris, Caleb.	721	Harris, Paul Kenneth Jr.	781	Honeycutt, Daphne Delois.
652	Harris, Calvin Wayne.	722	Harris, Paul Kenneth Sr.	2108	Honeycutt, Earl Henry III.
653	Harris, Carl Bazil.	723	Harris, Peggy Elizabeth.	2112	Honeycutt, Jacqueline Marie.
655	Harris, Charles Roger.	1521	Harris, Phillip Lee.	782	Honeycutt, John Timothy.
2422	Harris, Christophen Loran.	2061	Harris, Randolph Gerard.	2125	Honeycutt, Renee Louise.
657	Harris, Cleodous O'Neal.	725	Harris, Richard Jackson.	2109	Honeycutt, Robert Wayne III.
659	Harris, Curtis Douglas.	726	Harris, Robert Curtis.	783	Honeycutt, Roberta Sanders.
661	Harris, Dale Wallace.	727	Harris, Robin Kay.	2178	Honeycutt, Sandy Kay.
660	Harris, Darrell Kent.	694	Harris, Roger Gerard (Jerry).	2113	Honeycutt, Trisha Suzanne.
1776	Harris, David Steve.	728	Harris, Ronald Floyd.	784	Honeycutt, Troy Thomas Jr.
664	Harris, Davin Ray.	729	Harris, Shermic.	1492	Hosmer, Allison Leigh.
666	Harris, Dewey Wallace.	730	Harris, Stacy.	1493	Hosmer, Anthony.
667	Harris, Donald Brian.	731	Harris, Stanley Spencer.	1491	Hosmer, Brian Phillip.
668	Harris, Donald Wilford.	732	Harris, Tara.	1490	Hosmer, Illa Gail.
669	Harris, Donnie Ray.	733	Harris, Teresa Lee.	785	Howard, Cassie Lynn.
670	Harris, Dwayne Phillip.	735	Harris, Theresa Louise.	786	Howard, Catherine Valerie.
671	Harris, Elizabeth Lauren.	736	Harris, Thomas Edward.	787	Howard, David W.
672	Harris, Emily.	2408	Harris, Timothy Dale.	788	Howard, James Moore Jr.
2414	Harris, Ethan LLOYD William.	737	Harris, Timothy Neal.	789	Howard, James Travis.
673	Harris, Floyd William.	738	Harris, Tonta.	790	Howard, John L. Jr.
674	Harris, Floyd William Jr.	2080	Harris, Tracy Irene.	795	Howard, Paul William.
676	Harris, Furman George.	1778	Harris, Tracy Marie.	792	Howard, Timothy Daniel.
677	Harris, Garfield Crawford.	740	Harris, Tressa Ann.	793	Howard, Tom Williams.
678	Harris, Garland Wesley.	741	Harris, Victor.	794	Howard, Vicky Elizabeth.
679	Harris, Georgia H.	743	Harris, Vonda Darlene.	2131	Howe, Steven W.
680	Harris, Gilbert Dwaine.	751	Harris, Walter L. Sr.	796	Howington, Angela.
2404	Harris, Glenda Diane.	744	Harris, Walter Lloyd Jr.	1645	Howington, Angela Talley.

Roll No.	Name	Roll No.	Name	Roll No.	Name
2119	Hubbard, Amanda Michelle.	1764	Keesee, Amber Nicole.	898	Mason, Janet Renee Bryson.
207	Hubbard, Barbara Annette.	849	Keesee, Charles Edward.	1789	Mayfield, Ashley Michelle.
2118	Hubbard, Brandon Edward.	850	Keesee, Robert Lewis.	1790	Mayfield, Kandice Alicia.
2121	Hubbard, Michael Tracy.	851	Kekooloni, Jenne Rene.	900	Mayfield, Kelly Cheri.
2120	Hubbard, Richard Dustin.	2511	Kellam, Sonja N.	2387	Mayne, Alyssa Nicole.
2411	Hueitt, Mark William.	853	Kennington, Amanda Nicole.	2386	Mayne, Dawn Michelle.
2412	Hueitt, Richard Dean.	854	Kennington, Donald Dwayne.	2238	Maynor, Briana Michelle.
797	Huffstetler, Kayce.	1531	Keopraseorth, Stayce Leah.	2237	Maynor, Rebecca Lynn.
798	Huffstetler, Martha Sue.	1530	Keopraseorth, Tyler Andrew.	2262	McCall, Jessica Leigh.
799	Huffstetler, Whitney.	2442	Kersey, Meagan Nicholle.	2263	McCall, Kailen Paige.
161	Humphries, Jennifer Alane.	855	Kimble, Constance Veronica.	1677	McCall, Patricia.
1532	Humphries, Rosa H.	856	Kimble, Michelle Veronica.	1584	McCraw, Deborah Kay.
1751	Humphries, Rose Harris.	608	Kimbrell, Cynthia A.	2227	McCraw, Magan Elizabeth.
800	Hungate, Caitlyn Jayne.	2123	Kimbrell, Daniel Ray.	903	McDaniel, Jane.
801	Hungate, Caryn Louise.	857	Kimbrell, Nettie L.	904	McDaniel, Jeremy.
802	Hungate, Mederith Trimnal.	858	Kimbrell, Ronnie Lee.	905	McDaniel, Rachel.
804	Hunter, Jenna Camille.	2122	Kimbrell, Shannon Nicole.	2449	McGinnis, Ashley Ann.
805	Hunter, Jude Allan.	859	Kimbrell, Sherrie L.	909	McGinnis, Elizabeth Jane Canty.
806	Hunter, Julius Calvin.	860	Kimbrell, Susan Darlene.	910	McGinnis, Tammy Louise.
807	Hunter, Lillie Viola.	2432	Kirk, Christopher Jacob.	911	McGinnis, Tracy Ann.
20	Hunter, Marsha Rene.	2433	Kirk, Clarence Grover III.	912	McGraw, Amanda Kay.
808	Hunter, Matthew Calvin.	1508	Kirk, Evelyn A.C.	2168	McGraw, Daryl Owens Jr.
809	Hunter, Paige.	862	Kitchen, Wanda Kay.	914	McHugh, Kim G.
810	Hunter, Raegan.	863	Knight, Anthony Gleen.	1780	McHugh, Stephanie Lynn.
803	Hunter, Shelley Jeanine.	864	Knight, Dana Ivan.	915	McKellar, Billie Ann.
2317	Hyatt, Cheryl Ann.	1773	Knight, Denise.	917	McKeller, Steve Eugene Jr.
811	Hyatt, John Curtis.	866	Knight, Thomas Wayne.	918	McKinney, Bryan Patrick.
812	Hyatt, Karen Denise.	1620	Korver, Tanya Michele.	919	McKinney, Evan Joel.
813	Hyatt, Tiffany Marie.	2471	Lail, Jeremy Allen.	920	McKinney, Joyce Pamela.
2115	Hyman, Aaron Dupree.	2472	Lail, Zackie James.	921	McKinney, Justin Everett.
2116	Hyman, Joshua Kenneth.	926	LaManna, Brenda Denise.	922	McKinney, Lauren Celeste.
2450	Johnson, Amber Courtney.	867	Lambiasi, Alene Fern.	923	McKinney, Seth Williamson.
815	Johnson, Amber Sharon.	868	Lambiasi, Amanda Fern.	924	Mcmanus, Deborah Mae.
816	Johnson, Amy Ray.	870	Lambiasi, Anthony Daniel.	925	Mcmanus, Edward Dron.
817	Johnson, Anita Michele.	869	Lambiasi, Elizabeth Joann.	1464	Mcmanus, Kerrie.
2514	Johnson, Courtney Amanda.	871	Largo, Jeanette Guynell.	927	Mcmaster, Linda Darnell.
818	Johnson, Crystal Renee.	873	Largo, Mark Anthony.	928	McMaster, Thomas Edward.
819	Johnson, Cynthia Denise.	874	Leach, Brandon G.	929	Medlin, Billie Jo.
820	Johnson, Frances Inez.	875	Lear, Margaret Faye (Bodiford).	930	Medlin, Charles Robert.
821	Johnson, Hadden Delano.	877	Long, Cora Lee Foxx.	931	Medlin, Christine Leola.
822	Johnson, James Durrand.	878	Love, Darryl Lynn.	932	Medlin, Jason Charles.
823	Johnson, Jane Adams.	2550	Love, Jonathan Todd.	933	Medlin, Jesse James.
2431	Johnson, Jeccica Brooke.	2549	Love, Jutanna S.	934	Medlin, Nona Jane.
824	Johnson, Joseph Hadden.	2548	Love, Jutanna Suzette.	935	Medlin, William Lamont.
825	Johnson, Justin Derrick.	879	Love, Kevin Ray.	936	Medlock, Alisa Kay.
826	Johnson, Letha.	880	Love, Sylvia Elizabeth.	937	Medlock, Doris Kay.
828	Johnson, Marty Adam.	881	Lyda, John S. Gillilan.	938	Medlock, Jared Ray.
634	Johnson, Pamela Sue.	882	Lyda, Sandra D. Gillilan.	2148	Melech, Patricia Charlene.
829	Johnson, Paula Leigh.	582	Lydia, Sandra Dianne.	940	Melton, Cynthia J.
830	Johnson, Priscilla Blue Jose.	884	Lyell, Richard.	2127	Mercer, Bryan Anthony.
831	Johnson, Robert Lee.	885	Lyell, Susan.	2126	Mercer, Mark Allen Jr.
832	Johnson, Ruthie Mae.	886	Lyell, Sylvia Margaret.	2460	Merritt, Adriene.
833	Johnson, Santana Danielle.	887	Maccraw, Deborah Teaster.	2461	Merritt, James Matthew.
2451	Johnson, Trey Michael.	2245	Mackey, Christopher Lee.	941	Merritt, Patricia Thompson.
834	Joiner, Beverly Allyn.	2244	Mackey, David Windell Jr.	944	Miller, Ester.
835	Joiner, Beverly C.	2246	Mackey, Joshau.	2235	Mills, Dorenda Michelle.
836	Joiner, Jason Matthew.	888	Mackey, Windell David.	2234	Mills, Howard Adams.
837	Joiner, Nathinal Jared.	373	Madison, Wanda Denise.	945	Mills, Janice Dorenda.
838	Jones, Angelia Marie.	889	Malong, Tammie K.	2236	Mills, Ryan Cheyene.
839	Jones, Angelica Shree.	2329	Mancill, Kenneth Earl.	948	Mitchell, John.
840	Jones, Daniel Jacob.	890	Mancill, Mary Frances.	947	Mitchell, Katherine Marie.
842	Jones, James Anthony.	2328	Mancill, Vickie Renee.	2330	Mock, Dustin Kyle.
1771	Jones, Linda Ann.	891	Maners, Kim.	1517	Moore, Ashley.
872	Jones, Lisa Jane.	1511	Manuma, Matthew L.	1516	Moore, Cynthia D.
843	Jones, Sharon Rose.	1545	Marshall, Melanie H.	950	Moore, Joann.
845	Jordan, Debra Kay Ayers.	1547	Marshall, Melissa Nicole.	1520	Moore, Kristy D.
1787	Jordan, Kevin James.	897	Martin, Bryan Keith.	1518	Moore, Melissa D.
1788	Jordan, Melanie Rose.	2124	Martin, Daniel Earl.	1519	Moore, Roger.
1760	Jordon, Jody S.	892	Martin, Darnell.	2426	Morgan, Jefferson Scott Jr.
1546	Jordon, Jody Shawn.	893	Martin, Derrick Nicholson.	951	Morris, Ann Garnet.
846	Jose, Alette Renee.	894	Martin, Jackie Wesley.	952	Morris, Beronica Lynn.
847	Keekooloni, Henry Paakiki	895	Martin, Louise Renne Honeycutt.	953	Morris, Bonnie Leverne.
	Nahmani.	896	Martin, Malcome.	954	Morris, Donald, Jr.
848	Keener, Marsha D.	1761	Mason, Betty Denise.	955	Morris, Doris Jean.

Roll No.	Name	Roll No.	Name	Roll No.	Name
2067	Morris, Ellen Deloria.	1806	Petty, George.	1857	Pruitt, Jonathon Lee.
957	Morris, Robert Lee.	1807	Petty, Jackie Alton.	1858	Pruitt, Lottie Spivey.
960	Moss, Billy Odell.	2498	Petty, Jackie Lynn.	1859	Pryor, Alan Mark.
962	Moss, Helen.	1808	Petty, John Waylon.	1860	Pryor, Wanda Sue.
965	Moss, Matthew Dell.	1809	Petty, Johnnie William.	1861	Pryor, William Eric.
2446	Moss, Travis Steele.	1811	Petty, Patricia Ann.	2151	Puckett, Ashley Denise.
966	Mundy, Sandra Faye Ayers.	1812	Petty, Ronald Vance.	2152	Puckett, Carrie Nicole.
2434	Murray, Tonda Maarjean.	1813	Petty, Wanda Kay.	1862	Puckett, James Albert II.
967	Nash, Denise Renee.	2436	Phillips, Ashley Nicole.	2154	Puckett, Pamela Antoinette.
964	Neely, Lisa Adell.	2425	Phillips, Crystal Nicole.	2153	Puckett, Wanda Renee.
2517	Neely, Steven Wayne.	2437	Phillips, Jonathon Corey.	1866	Rabon, Emily Elizabeth.
968	Nichols, Anthony Wayne.	2438	Phillips, Rhyne Heath.	1867	Rabon, Teresa L.
969	Nichols, Jennifer Michele.	2435	Phillips, Robert Dean.	2518	Ramsey, Amanda Lynn.
970	Nichols, Karen Denise.	2493	Phillips, Ryan Heath.	2519	Ramsey, Brandon Lee.
2397	Norris, David LaFayette III.	1814	Pittman, Taloni Rochelle.	961	Ramsey, Brenda Jean.
483	Norris, Nicole Cherise.	1815	Pittman, Tommy Shane.	2520	Ramsey, Christopher Thomas.
973	Oglesby, Candice Regan.	1816	Pittman, Velma Marlene.	2505	Ranucci, Michael Paul.
974	Oglesby, Cassandra Leah.	2494	Plyler, Arthur Terrance.	1868	Ratteree, Audrey Bernice.
975	Oglesby, Khari Morgan.	2495	Plyler, Arthur Terrence Jr.	1869	Ratteree, Audrey Reola.
976	Oglesby, Leah.	1817	Plyler, Bruce Allen.	1870	Ratteree, Christy Gail.
977	Oglesby, Rhonda Delores.	1818	Plyler, Charles Martin.	1871	Ratteree, Tonya Michele.
2454	Oliver, Amanda Renee.	1819	Plyler, Donald Olin.	1873	Ravan, Betty Ruth.
2453	Oliver, Justin Emory.	1820	Plyler, Gerald Hubert.	1872	Ravan, Kimberly Dawn.
978	Oliver, Margaret Ann.	2158	Plyler, Gerald Hubert Jr.	1875	Rayfield, Lillian Ann.
979	Oliver, Randy Lester.	2496	Plyler, Jennifer Jean.	1876	Rayfield, Robert Dow.
980	Oliver, Sidney Jerome.	2160	Plyler, Jordan Violet.	1877	Reid, Catherine Lyanne.
981	Olson, Bessie Valoy.	2162	Plyler, Joshua.	1878	Reid, Fanny Lavinin.
982	Osborn, Alex T.	1823	Plyler, Joshua Olin.	1879	Rhynders, David.
983	Osborn, Danielle.	2159	Plyler, Justin Allen.	1880	Rhynders, Peter Benjamin.
984	Osborn, David Todd.	1824	Plyler, Leonard.	1881	Rhynders, Ryan.
985	Osborn, Dawn Renee.	2058	Plyler, Linda Rebecca.	1882	Rhynders, Spencer.
987	Osborn, Jason Wade.	2156	Plyler, Mark Jeffery.	1883	Rhynders, Victoria Yvonne.
988	Osborn, Milton Gregg.	2157	Plyler, Matthew Joseph.	2554	Rider, Michael Anthony.
989	Osborn, Sherry Geraldine.	1826	Plyler, Michael Dakota.	1549	Ridley, Melina Sharee.
990	Osborne, Mary Elizabeth.	1827	Plyler, Michael Wayne.	1548	Ridley, Nina Marae.
1774	Osborne, Sheila.	2155	Plyler, Michaela Jeanine.	1884	Riley, Amanda Dianne.
992	Osborne, Susan Marlene.	1828	Plyler, Norman Lynn.	1885	Riley, Jessica Michelle.
1791	Osment, Glenn Ryan.	1829	Plyler, Olin Flow Jr.	1886	Riley, Jill Ronea.
1792	Osment, Nettie Jane.	1830	Plyler, Phillip.	1887	Riley, Kimberly Christina.
994	Oswald, Anthony Lee.	1767	Plyler, Sally Elizabeth.	1888	Riley, Tammy Renee.
1766	Oswald, Brittney April Leigh.	1831	Porter, Jennifer Lauren.	1889	Robbins, Barney C.
995	Oswald, Charles Micheal.	1832	Porter, Joshua Wade.	2399	Robbins, Bradley Earl.
996	Outen, Jerry Lee George.	1833	Porter, Joy Mardine.	1890	Robbins, Bradley M.
997	Outen, Robert Edward Jr.	1834	Porter, Kevin Christopher.	1891	Robbins, Earl.
1793	Outen, Tonya Nicole.	2513	Porter, Rohin.	1892	Robbins, Flint.
1794	Owens, Lula Annette.	2539	Poteet, Charlotte Yvonne.	1893	Robbins, Frank E.
1686	Owens, Robin Rene.	1835	Pothenger, Shelley Maxine.	1894	Robbins, Jimmie.
1796	Owens, Samuel Hergert III.	2248	Pottenger, Ashley May.	1895	Robbins, Viola.
1795	Owens, Randall Chadwick.	2247	Pottenger, Kressent Monique.	1896	Robbins, William.
2503	Oxendine, Aaron Blake.	1784	Potts, Alisha Rae.	1897	Robbins, William Jr.
1797	Oxendine, Della Eleanor.	1836	Potts, Alton Amos.	1921	Roberts, Leesa Louise.
2502	Oxendine, Phillip Drew.	1837	Potts, Alton Dewayne.	1898	Roberts, Rose Marie.
1798	Oxendine, Ralph Guy Jr.	1838	Potts, Bryan Neal.	1899	Roberts, Rosemary.
2500	Oxendine, Stephen Daniel.	1770	Potts, Calvin Lee.	8	Robertson, Donna Marie.
1799	Oxendine, Waylon Keith.	1840	Potts, Johnny Ray.	1768	Robinson, Audrey Dale.
1591	Parker, Ann.	1785	Potts, Krista Leann.	1566	Rochester, Cynthia Diane.
2260	Parks, Cody Great Bear.	1841	Potts, Melinda Lou.	1569	Rochester, Jacob Lee.
2259	Parks, Jack Big Bear.	1842	Potts, Mendy Jo.	1568	Rochester, James Nicholas.
2258	Parks, Kris Littlebear.	1779	Potts, Michael Aaron.	1567	Rochester, Jessica Laine.
2239	Parks, Lauren Alyssa.	1844	Potts, Naomi.	1570	Rochester, Joseph Tyler.
791	Parks, Nancy E.	1786	Potts, Noah Steven.	1904	Rodgers, Donald Wayne.
1800	Parks, Paula Leigh.	1846	Potts, Renda.	1905	Rodgers, Freddie Grace.
1801	Patterson, Robyn Jolene.	1847	Potts, Tanya Marie.	1906	Rodgers, Kim Lee.
2489	Payne, Christy Lee.	1848	Potts, Wendy Lee.	1907	Rogers, Amy Nicole.
2490	Payne, Shayne Michelle.	2443	Preslar, Jarhett Wade.	1908	Rogers, Daniel Wayne.
2491	Payne, Shelley Renee.	1849	Price, Andrea Marie.	1909	Rogers, Debra Lee.
2171	Perdue, Benjamin McClure.	656	Price, Cheryl Ann.	1910	Rogers, Ernest D.
2169	Perdue, Billy James Jr.	1850	Price, Jessie Elaine.	1911	Rogers, Fred Kelly.
2170	Perdue, Elizabeth Blair.	1851	Price, Linda Diane.	1912	Rogers, James Kelly.
761	Petrini, Caroline Diane.	1852	Price, Sandra.	1913	Rogers, Jimmie.
1802	Petty, Bubby.	1853	Price, Timothy John.	1915	Rogers, John Alvin.
1803	Petty, Candy.	1854	Privette, Jason Lee.	1914	Rogers, John Alvin Jr.
1804	Petty, Christine H.	1855	Privette, Jeremy James.	1916	Rogers, Kathleen Annette.
1805	Petty, Cory D.	1856	Privette, Marsha Denise George.	1917	Rogers, Keith Preston.

Roll No.	Name	Roll No.	Name	Roll No.	Name
1918	Rogers, Kelly Elizabeth June.	1583	Scruggs, Tammy Rene.	1959	St. Clair, Iris Lucinda.
1919	Rogers, Kristine Elizabeth.	906	Sharpe, Angelia Runi.	2045	Steiniger, Jennette.
1920	Rogers, Larry Dwayne II.	907	Sharpe, Christopher Wayne.	2046	Steiniger, Micheal Loraine.
1922	Rogers, Marcie.	1484	Sharpe, Melissa.	2047	Steiniger, Shirley.
2525	Rogers, Mary Katherine.	1994	Shaver, Lily Howard.	2048	Stevens, Barbara Ann.
1923	Rogers, Melissa Faye.	883	Shealy, Barbara Lynn.	2337	Stevens, Dawn Michelle.
1924	Rogers, Ronnie.	2506	Shealy, Britanie Margaret.	2334	Stevens, Debora Darlene.
1925	Rogers, Steve Otho.	2504	Shealy, Kailyn Marie.	2335	Stevens, Sharon Jean.
1926	Rogers, Tammy Kay.	1995	Shehan, Lynette Harris.	2050	Stewart, Mary Evelyn Sanders.
1928	Rogers, Tina Michelle.	1483	Shingler, Anna D.	2527	Stewart, Randall Matthew.
1929	Rogers, Todd Loren.	1482	Shingler, Dustin A.	2528	Stewart, Steven Andrew.
2524	Rogers, William Bradford.	185	Shingler, Shelia Darnell.	2051	Stokes, Barry Dean.
1931	Rollins, Eric Dwayne.	1996	Shirah, Christopher Lee.	2052	Stokes, Billy Joe.
1932	Rowe, Adam Thomas.	1997	Shirah, Jamie.	2053	Stokes, Curtis Wayne.
1933	Rowe, Merri Rayfield.	1998	Shirah, Louise.	2054	Stokes, Daniel Leroy.
1934	Rowe, Wyatt Dale.	1999	Shrake, Freida Marilyn.	2055	Stokes, Gleen Edward.
2522	Rowley, James Michael II.	2000	Shrake, Melissa Marie.	2056	Stokes, James Allen.
18	Rowley, Lisa Ann.	2001	Shugart, Helen Louise.	2057	Stokes, Joseph Coland Jr.
1935	Russell, Jai Anne.	2309	Shugart, Jeffery.	1265	Stokes, Kevin Ray.
1560	Rutland, Kristen Nicole.	2002	Shugart, Jeffery Adams.	1266	Stokes, Michael Shane.
1936	Sanders, Ada.	2003	Shugart, Jennifer Michelle.	1267	Stokes, Robert Lee.
1937	Sanders, Albert Henderson III.	2004	Shugart, Kenneth Eugene Jr.	1268	Stokes, Robert Lee Jr.
1938	Sanders, Albert Henderson Jr.	2349	Shugart, Kenneth Rhiannon.	1269	Stokes, Stella B.
1939	Sanders, Albert Henderson Sr.	2005	Shugart, Rita Shawn.	1571	Stokes, Timothy Scott.
1940	Sanders, Aldrew Clark Jr.	2308	Shugart, Steven.	1573	Stott, Toy June.
1941	Sanders, Aldrew Clark Sr.	2307	Shugart, William Dean.	1574	Strickland, Pearl.
1943	Sanders, Angela Lea.	2009	Shuler, Joel Christopher.	2190	Stroud, Brittany Amanda.
1942	Sanders, Angela Michele.	2010	Shuler, Linda Gail Brown.	2191	Stroud, Christopher Dale.
2477	Sanders, Brian Warren.	2011	Sigmon, Reba Maxine.	704	Stroud, Kimberly D.
1946	Sanders, Calvin Ray.	2024	Simmers, Brittany Nasha.	1575	Sutton, Teresa Diane.
1947	Sanders, Caroleen M.	2076	Simmers, Daniel.	2552	Sutton, Whitney Joy Ayers.
1948	Sanders, Cecil Glen.	2013	Simmers, Daniel Taylor.	2551	Sutton, William Curtis.
1990	Sanders, Celta Dawn.	2251	Simmers, Erika Nicole.	1576	Talley, Barbara Annette.
1949	Sanders, Charles Richard.	2015	Simmers, Garrett Jason.	1577	Talley, Curtis Brent.
1950	Sanders, Christopher Louis.	2016	Simmers, James Leon.	1578	Talley, Dessa Darlene.
1951	Sanders, David Neal.	2223	Simmers, Jason Edward.	1579	Talley, James Heyward Jr.
1952	Sanders, Deborah Jean.	2017	Simmers, Lisa Louise Marie.	1580	Talley, Michael Warren.
1953	Sanders, Donald Wayne.	2019	Simmers, Mildred Leone.	1581	Talley, Myleah Breanne.
1954	Sanders, Early Fred.	2020	Simmers, Rocky Vernon.	1582	Talley, Warren Edward.
1955	Sanders, Elizabeth Denise.	2021	Simmers, Saritta Janene.	2270	Tanner, Brooke Michele.
2478	Sanders, Franklin Thomas.	2224	Simmers, Sharon Marie.	2272	Tanner, Kacey Danielle.
1957	Sanders, Fred Eugene.	2022	Simmers, Shelly Jeanette.	2271	Tanner, William Travis.
1958	Sanders, Gail.	2023	Simmers, Stacy Jean.	2137	Teaster, Etta D.
1960	Sanders, Jackie Scott.	2025	Skar, Eric Tyler.	1586	Teaster, Jimmie Eugene.
1961	Sanders, John Jack Jr.	2026	Sloat, Cynthia Lynn.	1587	Teaster, Ransom.
1962	Sanders, John Patrick.	2027	Sloat, Jamie Lynn.	2226	Teaster, Virginia Claudette.
1963	Sanders, Kelly Renea.	2028	Sloat, Patsy Blue.	1588	Teaster, William Glenn.
1964	Sanders, Kimberly Ann.	2029	Smith, Angela Paulette.	1590	Templeton, Debora Darlene.
1965	Sanders, Marcus Emory.	1543	Smith, Anthony Glenn.	2410	Terry, Michelle Lynn.
1966	Sanders, Marilyn.	2534	Smith, Brandy Michelle.	1592	Tessner, Ruth Robbins.
1967	Sanders, Mary Evelyn.	913	Smith, Deborah Ann.	1593	Thatcher, Harold Lloyd.
1968	Sanders, Michael Gleen.	12	Smith, Glenda.	2532	Thatcher, Jason Lloyd.
1969	Sanders, Michelle Luraye.	2030	Smith, Margaret Rebecca.	1595	Thatcher, Matthew Tyler.
1970	Sanders, Randall Dean.	2031	Smith, Melanie Denise.	2531	Thatcher, Rebecca Leigh Ann.
1972	Sanders, Rodney Wayne.	2032	Smith, Rebecca Carleen.	1596	Thatcher, Steven Keith.
1973	Sanders, Ronald William.	1564	Smith, Robert Earl.	1498	Therrell, Joyce Ann.
1971	Sanders, Rondolph Edward.	2034	Smith, Robert Earl Jr.	2311	Thomas, Chrissy Alene.
1974	Sanders, Scotty Dewayne.	2035	Smith, Sabrina Dawn.	1597	Thomas, Christopher Dowain.
2526	Sanders, Shannon Wayne.	2036	Smith, Sandra Darnell Sanders.	1598	Thomas, Emory Randolph.
1975	Sanders, Thoman Burton.	1752	Smith, Shari Wilson.	1599	Thomas, Jeffery McDonald.
1976	Sanders, Thomas Cornelius.	2037	Smith, Tammy Renee.	1600	Thomas, Larry Allen.
1977	Sanders, Thomas Lester.	2038	Smith, Thomas Franklin Jr.	1601	Thomas, Louis Scott.
1978	Sanders, Thomas McCloud.	2173	Sotolongo, Amber Mechelle.	2312	Thomas, Marvin Donald III.
1981	Sanders, Verdine.	365	Sotolongo, Miranda Lynn.	1602	Thomas, Michael Shannon.
1982	Sanders, Wanda.	2039	Sox, Paul Samuel.	1603	Thomas, Michael Steven.
1983	Sanders, Wanda Hammond.	2040	Sox, Robert Wesley.	1604	Thomas, Ollie Mae.
1985	Sanders, William Louie.	2041	Sox, Teresa Earline.	1605	Thomas, Pamela Michelle.
1986	Sanders, William Mack.	2042	Spivey, Alisha.	1606	Thomas, Peggy.
2293	Sanders, William Max.	2530	Spivey, Angela Marie.	1607	Thomas, Timothy Randolph.
1988	Sanders, William Scott.	134	Spivey, Juanita M.	1608	Thomas, Virginia Claudette.
1991	Schutte, Dawn Wakilani.	2529	Spivey, Sharon Marlene.	1609	Thomas, William M.
1992	Schutte, Garth Kaleikine.	2043	Spivey, Smantha V.	2225	Thompson, Adam Quinton.
1993	Scott, Colleen.	2344	Spivey, Tammy Anise.	2228	Thompson, Anna Leigh.
2060	Scruggs, Jonathan Bradley.	2044	Spivey, Timothy Joe.	1610	Thompson, Clyde.

Roll No.	Name	Roll No.	Name	Roll No.	Name
2456	Thompson, Jessica Lynn.	1670	Wade, Horace Gary Jr.	1488	Wilkinson, Kristin Lyn.
1611	Thompson, Latasha.	1684	Wade, Horace Gary Sr.	1486	Wilkinson, Neil.
1612	Thompson, Lois Elvina.	1671	Wade, Kimberly Nicole.	1489	Wilkinson, Tarah Jean.
1613	Thompson, Rose.	1672	Wade, Krissi Marie.	1485	Wilkinson, Theresa.
2455	Thompson, Scotty.	1673	Wade, Michael Gregg.	1731	Williams, Amy Carol.
1614	Thompson, Scotty A. Jr.	1675	Wade, Michael Lee.	1738	Williams, Brent Lee.
2457	Thompson, Stephanie Michelle.	1676	Wade, Natlie.	1732	Williams, Carol Mae.
2006	Thrash, Rita Shawn.	1678	Wade, Regina Suezeanne.	1733	Williams, Colette DeLora.
1615	Threatt, Josephine Branham.	1679	Wade, Rhonda D.	1735	Williams, Keith Elloit.
1616	Tinker, Geraldine.	1681	Wade, William Christopher.	1736	Williams, Phyllis DeLora.
1617	Tinker, Matthew D.	1682	Wade, William Perry.	1737	Williams, Randy Allen.
1618	Tinker, Rebecca Kathryn.	1683	Wade, William Perry Jr.	1739	Williams, Russell Shane.
1619	Tinker, Stuart.	1685	Wages, Margaret Josephine.	2556	Williams, Tiffany Nichole.
1621	Tipton, Cheryl Ann.	1466	Walker, Karen.	2535	Williford, Cheryl Melissa.
1622	Totherow, Nancy Deandrea.	1734	Walker, Lora Anne.	1742	Williford, David.
1623	Totherow, Shannon Leslie.	2184	Ward, Catherine Evona.	2536	Williford, John Timothy.
1759	Trimnal, Ashley Carol Trimnal.	2229	Warner, Brian Dale.	1743	Williford, Vivian.
1625	Trimnal, Becky Christine.	1688	Warner, Cora Ethel.	1167	Willis, Alice Grace.
1626	Trimnal, Bob Kenneth.	1689	Warner, Jason Lee.	1746	Wilson, Barbara Allen.
1627	Trimnal, Heather E.	1690	Warner, Oliver Dale.	2492	Wilson, Billy Oliver.
1629	Trimnal, Kathy C.	1703	Watts, Clifford Odell Jr.	1538	Wilson, Brittany Marena.
1630	Trimnal, Roger Snow.	2232	Watts, Davin Blue.	1747	Wilson, Charlotte Yvonne.
1631	Trimnal, Samuel Taylor.	1691	Watts, Edwin Larson.	2332	Wilson, Christin Nicole.
1633	Trimnal, Thomas Woodrow.	1693	Watts, Jenelle Sunshine.	1782	Wilson, Claire.
1635	Troublefield, Joseph Martin.	2176	Watts, Joshua Everett.	1748	Wilson, Donald Wayne.
1636	Troublefield, Vanessa Lee.	1694	Watts, Kimberly Eula.	2331	Wilson, Donald Wayne Jr.
1637	Troxel, David Trent.	1695	Watts, Leone.	1749	Wilson, Edwin Keith.
1638	Troxel, Samuel Neil.	2177	Watts, Matthew Todacheeni.	1544	Wilson, Heather Ann.
1639	Troxel, Shasta Ilene.	1696	Watts, Milton Everett.	1536	Wilson, Jeffrey Ronald.
1640	Troxel, Suzette Michele.	1697	Watts, Misti Lynn.	1542	Wilson, Joseph Matthew.
1641	Tucker, Margaret.	1699	Watts, Rachel Eleanora.	1541	Wilson, Joshua Michael.
2250	Tucker, Matthews Earl.	1700	Watts, Rodney Allan.	1750	Wilson, Kim Lyle.
2249	Tucker, William Shane.	1701	Watts, Tristan Wade.	1540	Wilson, Kristy Nicole.
1642	Usher, Jerry Dale.	1702	Watts, William David Jr.	2487	Wilson, Roy O'Dell III.
1643	Usher, Kimberly Dawn.	1704	Webb, Elizabeth Ashley.	1456	Wilson, Roy Odell Jr.
1644	Usher, Norma Jean.	1705	Webb, Sharon Marlene.	1537	Wilson, Stephanie Nicole.
2465	Varnadore, Amy Michelle.	971	Webster, Krista Marie.	1753	Wilson, Steve Randall.
1646	Varnadore, Brandon Trent.	1706	Well, Lou Gene.	1539	Wilson, Tanja Coral.
2464	Varnadore, Brandy Leigh.	1707	Wheeler, Ashlin Nicole.	1755	Wilson, Todd L.
1647	Varnadore, Christopher Lee.	1708	Wheeler, Bobbie Jean.	1535	Wilson, Travis Randall.
2467	Varnadore, Cory West.	1709	Wheeler, Tyson Robert.	1756	Wilson, Violet.
2463	Varnadore, Edward.	1710	White, Angela Dionne.	571	Windham, Shana Marie.
2462	Varnadore, James Dustin.	1711	White, Deena Ann.	5	Woodell, Angela D.
1648	Varnadore, Karen.	1712	White, Eber Walter.	2167	Woodell, Jennifer Kaitlyn.
2261	Varnadore, Kenneth Chad.	841	White, Gail Blue.	2340	Wright, Carolyn Marie.
2466	Varnadore, Kenneth Charles.	1713	White, Rocky Anthony.	2485	Wright, Charlotte Yvonne.
1649	Varnadore, Laura Sanders.	2537	White, Sarah Elizabeth.	1458	Wright, Christopher Allen.
1651	Varnadore, Ronnie.	1714	White, Sharon Melinda.	1460	Wright, Lewis Allen Jr.
1652	Vick, Kenneth Craig.	1715	Whitesides, Bernard.	1461	Wurdermann, Aaron Cole.
1653	Vick, Vickie Renay.	1716	Whitesides, Charlie.	1462	Wurdermann, John David.
1654	Vincent, Ruby Ayers.	1717	Whitesides, Velma Brown.	1463	Wurdermann, Kenneth Wayne Jr.
1655	Vinson, Elic Wheeler.	1718	Whitlock, Sadie.	1465	Wurdermann, Lynn Canty.
1656	Wade, Baxter Bruce.	1719	Wilburn, Amber Susanna.	1467	Yates, Christopher Michael.
2479	Wade, Buford.	1720	Wilburn, Cecil.	1469	Yates, Rachel Beck.
1658	Wade, Cleave Harrison.	1721	Wilburn, Christopher.	1470	Yates, Rebecca.
1659	Wade, Connie Steve.	1722	Wilburn, David Adams.	1471	Yonce, Patricia Shirlene Brown Groff.
1660	Wade, Daniel Benjamin.	1723	Wilburn, Deborah Mae.	1472	Young, Kathryn Rachel.
1661	Wade, Dara Danielle.	1724	Wilburn, Herman Franklin.	516	Young, Laurie Michele.
1662	Wade, Edith Frances.	1725	Wilburn, Melissa Dawn.	1473	Young, Pamela Jean Brown.
1663	Wade, Florence R.	1726	Wilburn, Olivia Grace.		
1665	Wade, Gary Brent.	1727	Wilburn, Rita Faye.		
1667	Wade, Glenn Hampton.	1728	Wilburn, Ryan Anthony.		
1668	Wade, Heather C.	1729	Wilburn, Stephanie Lauren.		
1669	Wade, Heather Suzanne.	1487	Wilkinson, Benjamin Bruce.		

[FR Doc. 94-28590 Filed 11-21-94; 8:45 am]

BILLING CODE 4310-02-P

Registered Federal Report

Tuesday
November 22, 1994

Part III

Environmental Protection Agency

40 CFR Part 72

Acid Rain Program: Permits; Proposed
Rule

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 72**

[FRL-5109-7]

RIN 2060-AF55

Acid Rain Program: PermitsAGENCY: Environmental Protection
Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Title IV of the Clean Air Act, as amended by Public Law 101-549, the Clean Air Act Amendments of 1990 (the Act), authorizes the Environmental Protection Agency (EPA or Agency) to establish the Acid Rain Program. On January 11, 1993, the Agency promulgated final rules under title IV. Several parties filed petitions for review of the rules. On August 10, 1994, EPA and other parties signed a settlement agreement addressing certain substitution plan issues.

Based on a review of the record, the Agency concludes that the January 11, 1993 regulations concerning the eligibility of units to be designated as substitution units should be revised. Under sections 404(b) and (c) of the Act, a unit that is not listed in Table A of section 404 as being subject to Phase I of the Acid Rain Program (i.e., a non-Table A unit) and that is under the control of the owner or operator of a unit listed in Table A of section 404 (i.e., a Table A unit) may be designated as a substitution unit. The January 11, 1993 regulations state that the Table A unit and each non-Table A unit that the

Table A unit designates as a substitution unit must have "the same owner or operator."

The Agency is proposing to revise the regulations in order to specify more clearly the circumstances under which the statutory "control" requirement for substitution plans is met. Because the rule revision is consistent with the August 10, 1994 settlement and the Agency does not anticipate receiving adverse comments, the revision is also being issued as a direct final rule in the final rules section of this **Federal Register**.

DATES: Comments on the regulations proposed by this action must be received on or before December 22, 1994.

ADDRESSES: *Comments.* All written comments must be identified with the appropriate docket number and must be submitted in duplicate to: EPA Air Docket Section (LE-131), Waterside Mall, room 1500, 1st floor, 401 M Street, SW., Washington DC 20460.

Docket. Docket No. A-93-40, containing supporting information used to develop the proposal, copies of all comments received, and responses to comments, is available for public inspection and copying from 8:30 a.m. to 12 p.m. and 1 p.m. to 3:30 p.m., Monday through Friday, excluding legal holidays, at EPA's Air Docket Section (LE-131), Waterside Mall, room 1500, 1st floor, 401 M Street, SW., Washington DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Dwight C. Alpern, Attorney-advisor, at (202) 233-9151, Acid Rain Division

(6204)], U.S. Environmental Protection Agency, 401 M Street, SW., Washington DC 20460, or the Acid Rain Hotline at (202) 233-9620.

SUPPLEMENTARY INFORMATION: If no significant, adverse comments are timely received, no further activity is contemplated in relation to this proposed rule and the direct final rule in the final rules section of this **Federal Register** will automatically go into effect on the date specified in that rule. If significant, adverse comments are timely received on any provision, that provision of the direct final rule will be withdrawn and all public comment received on that provision will be addressed in a subsequent final rule based on the relevant portions of this proposed rule. Because the Agency will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

For further supplemental information, the detailed rationale, and the rule provisions, see the information provided in the direct final rule in the final rules section of this **Federal Register**.

List of Subjects in 40 CFR Part 72

Environmental protection, Acid rain, Air pollution control, Electric utilities, Permits, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: November 14, 1994.

Carol M. Browner,
Administrator.

[FR Doc. 94-28709 Filed 11-21-94; 8:45 am]

BILLING CODE 6580-50-F

Register

Tuesday
November 22, 1994

Part IV

Environmental Protection Agency

40 CFR Part 72

Acid Rain Program: Permits; Final Rule

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 72**

[FRL-5109-8]

RIN 2060-AF59

Acid Rain Program: Permits**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: Title IV of the Clean Air Act, as amended by Public Law 101-549, the Clean Air Act Amendments of 1990 (the Act), authorizes the Environmental Protection Agency (EPA or Agency) to establish the Acid Rain Program. On January 11, 1993, the Agency promulgated final rules under title IV. Several parties filed petitions for review of the rules. On November 18, 1993, the Agency published a notice of proposed revisions of those rules implementing sections 404(b) and (c) (substitution plans) and 408(c)(1)(B) (reduced utilization plans) of the Act. On May 4, 1994, EPA and other parties signed a settlement agreement addressing substitution and reduced utilization issues.

After reviewing the record, EPA concludes that the January 11, 1993 rules can be read to give utilities an ability to use substitution and reduced utilization plans to create excess, new allowances. These allowances will authorize sulfur dioxide emissions in excess of total emissions without the plans and will result from emission reductions made, or required by federal or State law adopted, before enactment of title IV. This creation of allowances is contrary to the purposes of sections 404(b) and (c) and 408(c)(1)(B) and can compromise achievement of the emissions reductions intended under title IV. Consequently, EPA is modifying sections of part 72 of the January 11, 1993 regulations. The rule revisions will prevent the use of substitution and reduced utilization plans to create excess, new allowances and are consistent with the May 4, 1994 settlement.

EFFECTIVE DATE: December 22, 1994.

ADDRESSES: Docket No. A-93-40, containing supporting information used to develop the proposal, copies of all comments received, and responses to comments, is available for public inspection and copying from 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 3:30 p.m., Monday through Friday, excluding legal holidays, at EPA's Air Docket Section (LE-131), Waterside Mall, room 1500, 1st floor, 401 M Street, SW., Washington

DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Dwight C. Alpern, Attorney-advisor, at (202) 233-9151, Acid Rain Division (6204), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, or the Acid Rain Hotline at (202) 233-9620.

SUPPLEMENTARY INFORMATION: The contents of the preamble to the final rule are as follows:

- I. Statutory Purposes of the Substitution and Reduced Utilization Provisions
- II. Need to Modify the January 11, 1993 Regulations
 - A. The January 11, 1993 Regulations can be Read to Give Utilities the Ability to Bring Phase II Units Into Phase I and Create Excess, new Allowances
 - B. Under the January 11, 1993 Regulations, Entry of Phase II Units Into Phase I can Significantly Compromise the Emissions Reduction Goals of Title IV
- III. Modifications of the January 11, 1993 Regulations
 - A. Substitution Plans
 1. Limiting the Allowances Allocated to Each Substitution Unit
 - a. 1989 or 1990 SO₂ Emissions Rate
 - b. Most Stringent Federal or State SO₂ Emissions Limitation
 - c. Baseline
 2. Limiting the Number of Substitution Units
 3. Requirement That the Substitution Unit be Under Control of the Table A Unit's Owner or Operator
 4. Other Changes
 - B. Reduced Utilization Plans
 1. Limiting the Category of Units That can Qualify as Compensating Units
 2. End-of-Year Review of the Need for Compensating Units
 3. Reporting and Allowance Surrender
- IV. Applicability of Rule Revisions to Existing Permit Applications
- V. Administrative Requirements
 - A. Docket
 - B. Executive Order 12866
 - C. Paperwork Reduction Act
 - D. Regulatory Flexibility Act
 - E. Miscellaneous

I. Statutory Purposes of the Substitution and Reduced Utilization Provisions

The provisions in sections 404(b) and (c) and 408(c)(1)(B) of the Act concerning substitution and reduced utilization plans have specific statutory purposes related to the achievement of the sulfur dioxide emissions reduction goals of title IV. The Agency maintains that Congress did not intend that these provisions provide utilities an ability to create excess, new allowances by bringing Phase II units into Phase I. Because the January 11, 1993 regulations implementing these provisions can be read to allow the creation of excess, new allowances in Phase I, the Agency is revising today the regulations to ensure that this does not

occur. See 58 FR 60951 (defining "excess, new allowances").

As discussed in the preamble of the November 18, 1993 proposal (58 FR 60950-60951), Congress established substitution plans as a compliance option to increase units' compliance flexibility and reduce their overall costs of compliance in Phase I while still achieving the emissions reductions intended by Congress under title IV. A substitution plan allows the owner or operator of a unit listed in Table A of section 404 to reassign the unit's emissions reduction obligations to a designated non-Table A unit under the owner's or operator's control. Upon approval of the reassignment, the non-Table A unit becomes subject to all requirements for Phase I units with regard to sulfur dioxide and is allocated allowances. Emissions reductions by the non-Table A unit may therefore free up allowances, which may be used by the Table A unit (or any other unit) in lieu of making emissions reductions.

Section 404(b)(5) of the Act expressly states that, with a substitution plan, the intended emissions reductions must still be achieved. That section requires that, in approving a substitution plan, the Administrator ensure that the substitution results in total emissions reductions at least equal to the total reductions that otherwise "would have been achieved" by these Table A and non-Table A units "without such substitution." 42 U.S.C. 7651c(b)(5). EPA concludes that the substitution provision is intended to provide an alternative means of achieving Phase I reductions, not a mechanism for avoiding such emission reductions.

The provision for reduced utilization plans has a statutory purpose that is also aimed at ensuring realization of emission reductions. As explained in the November 18, 1993 preamble (58 FR 60951), Congress recognized that the potential for circumvention of emission limitation requirements exists because in Phase I only a minority of all utility units are subject to such requirements. A Phase I unit could simply reduce its utilization by shifting its generation, and the emissions that would otherwise result, to a unit that was not required to use allowances to cover its emissions. Allowances allocated to the Phase I unit would be freed up for use without achievement, at either unit, of the intended emissions reductions.

In section 408(c)(1)(B), Congress adopted a solution to this problem. Owners and operators of any Phase I unit that, for compliance purposes, propose reducing utilization of the unit below 1985-87 utilization (i.e., its baseline) in order to comply with title

IV are required to submit a reduced utilization plan. In such a plan, the owners and operators must designate the units that will provide generation to compensate for the reduced utilization of the Phase I unit or must account for the reduced utilization through energy conservation or improved unit efficiency. 42 U.S.C. 7651(c)(1)(B). Each compensating unit in an approved plan becomes subject to Phase I sulfur dioxide emissions limitations and is allocated allowances equal to that unit's baseline times the lesser of the 1985 actual or allowable emissions rate for the unit. The compensating unit will therefore have to use allowances to account for its emissions, including any increased emissions resulting from compensating generation that it provides for the Phase I unit.

The Administrator approves or disapproves each plan (and compensating units proposed therein) after determining whether the plan meets the requirements of title IV, including achievement of the intended emissions reductions under the Acid Rain Program. 42 U.S.C. 7651(c)(2); see also 58 FR 60951. Thus, like the provisions for substitution plans, the provisions for designating compensating units in reduced utilization plans are intended to allow compliance flexibility but also to protect the emission reduction goals of title IV by requiring that plans not result in more emissions than would occur without the plans. In fact, if the reduced utilization plan provisions were interpreted to allow the creation of excess, new allowances, utilities could simply use such plans to circumvent the limitation on the creation of allowances under substitution plans by bringing the same Phase II units into Phase I as compensating units rather than substitution units.¹

¹ This conclusion is not contradicted by the legislative history, cited by some commenters, discussing the compliance flexibility and potential cost savings resulting from use of the allowance market. See, e.g., Senate Rep. No. 101-228 at 316. Such generic discussion of the ability of units to over- or under-control emissions and to trade allowances does not address the specific issue of the entry of Phase II units into Phase I. Although, under the Partial Settlement in *Environmental Defense Fund v. Carol M. Browner*, No. 93-1203 and *Alabama Power Co. v. U.S. EPA*, No. 93-1611 (D.C. Cir. 1993) (signed May 4 and 20, 1993), many comments on the November 18, 1993 proposal were withdrawn, the Agency is responding—here or in a response-to-comment document—to the substance of all comments that were originally submitted. (This settlement is hereafter referred to as “the May 4, 1994 settlement”.)

II. Need to Modify the January 11, 1993 Regulations

A. The January 11, 1993 Regulations can be Read to Give Utilities the Ability to Bring Phase II Units Into Phase I and Create Excess, New Allowances

On January 11, 1993, EPA promulgated regulations that implemented the major provisions of title IV, including the substitution and reduced utilization provisions. As discussed in the November 18, 1993 preamble (58 FR 60951-60953), these provisions can be read to provide utilities two alternative methods of bringing into Phase I, with few limitations, selected Phase II units and creating excess, new allowances. The Agency concludes that both provisions must be revised in order to eliminate this problem.

Under § 72.41 of the January 11, 1993 regulations, the designated representative for a unit on Table A may include in the Phase I permit application a substitution plan designating, as substitution units, one or more existing units that are Phase II units and so not on Table A. 40 CFR 72.41(b) (1993). There is no express requirement that the substitution unit make reductions beyond those that it would have made without the plan or actually provide allowances for the Table A unit and no express limit on the number of substitution units that a Table A unit may designate. Further, for the most part, the decision whether to designate a particular Phase II unit as a substitution unit is at the discretion of the utility. See 58 FR 60952.

Section 72.43 of the January 11, 1993 regulations requires, under certain circumstances, that the designated representative for a Phase I unit submit a reduced utilization plan designating a compensating unit. Such a plan must be submitted if the owners and operators of the unit plan to reduce utilization of the unit below its baseline for purposes of complying with Phase I emissions limitations and to accomplish this by shifting generation to a non-Phase I unit. 40 CFR 72.43(b) (1993). Because of concern that utilities would be unable to designate compensating units and therefore might engage in uneconomic dispatching to avoid reduced utilization requiring such designations, the regulation establishes broad exceptions to the requirement to submit a plan. 40 CFR 72.43(e) (1993); see also 58 FR 60958-60959. There is no express requirement that the Phase I unit actually have any reduced utilization or the compensating unit actually provide any compensating generation to the Phase I unit. There is also no express

limit on the number of compensating units that a Phase I unit may designate and no express bar on a compensating unit itself designating a compensating unit. Further, as with substitution units, a utility's decision to designate a compensating unit is largely discretionary. See 58 FR 60952.

Because utilities generally have broad discretion and flexibility in designating substitution and compensating units, such units will likely be designated only if early entry into Phase I is beneficial, e.g., where early entry creates new allowances because the units have lower actual emissions in Phase I than the allowances they will receive as substitution or compensating units. See 58 FR 60953 and n. 2. Before the enactment of title IV, some Phase II units had reduced emissions rates for economic or other reasons and some States had already adopted laws requiring their utilities to reduce emissions rates prior to Phase II. Such reductions occurred, or will occur, for reasons independent of the substitution and reduced utilization provisions. Under the January 11, 1993 regulations, for each Phase I year that a substitution or reduced utilization plan is in effect, each substitution or compensating unit under the plan is allocated a number of allowances equal to the unit's baseline times the lesser of the 1985 actual or allowable emissions rate for the unit. 40 CFR 72.41(c)(3) and (d) and 72.43(c)(4)(ii) and (d) (1993). Consequently, some Phase II units may enter Phase I as substitution or compensating units and convert emission rate reductions into excess, new allowances: i.e., allowances that would not otherwise be available and that reflect emission rate reductions that would occur even without plans allowing early entry into Phase I.

The excess, new allowances may become available to affected units in Phase I and/or in Phase II and enable such units to avoid making emissions reductions that title IV would otherwise require them to make. These allowances may thereby diminish the emissions reductions that Congress intended to be achieved by virtue of title IV. In sum, as explained in the November 18, 1993 preamble, the January 11, 1993 regulations transform the statutory substitution and reduced utilization provisions from provisions for facilitating and protecting anticipated emissions reductions under title IV into potential means of creating excess, new allowances that can be used to avoid such reductions. (58 FR 60953.)

Because the regulations provide alternative means (through substitution plans or reduced utilization plans) of

creating excess, new allowances, the regulations are contrary to Congressional intent and sections 404(b) and (c) and 408(c)(1)(B) of the Act and therefore must be modified to eliminate both alternatives.

B. Under the January 11, 1993 Regulations, Entry of Phase II Units Into Phase I can Significantly Compromise the Emissions Reduction Goals of Title IV

The potential number of excess, new allowances created by substitution and compensating units under the January 11, 1993 regulations may be sufficient to compromise significantly the achievement of the emissions reductions intended by Congress under title IV. The Agency estimates that entry into Phase I of Phase II units that will benefit from becoming substitution or compensating units and that reduced emissions rates between 1985 and 1991 for economic or other reasons or were required by federal or State law as of November 15, 1990 to reduce emissions rates between 1985 and 1995 will create about 200,000 allowances per year in Phase I in excess of emissions without such entry.² See 58 FR 60953 and n. 4; and Calculation of Potential Impacts of Phase I Substitution Units, ICF Inc. at 5 (July 7, 1993). Thus, the current substitution and reduced utilization provisions will potentially result in the creation of excess, new allowances authorizing additional emissions of 1,000,000 tons of sulfur dioxide in all of Phase I.

Congress expected the emission limitations in title IV to result in annual SO₂ emissions reductions of 2.8 to 4.4 million tons in Phase I. Senate Rep. No.

² This is a conservative estimate of the potential for creation of excess, new allowances. Assuming that all 250 designated substitution and compensating units in existing permit applications are activated as substitution units for all of Phase I, about 385,000 excess, new allowances will be created per year under the January 11, 1993 regulations. Assuming all existing Phase II units (about 2,000 units) will become substitution units for all of Phase I, almost 1,000,000 excess, new allowances will be created per year in Phase I under the January 11, 1993 regulations. See Estimates of Allowances Impact of Proposed Permits Rule Revisions and Alternative Regulatory Scenarios at 3, 8, and 52 (Oct. 20, 1993) (comparing "totals" for allowance allocations under "existing" rule and "proposed" rule). The Agency's 200,000-allowance estimate reflects the assumption that only those units (about 200 to 300 units) with projected 1995 emissions lower than their 1985 level will be likely to become substitution units under the current regulations. See Calculation of Potential Impacts of Phase I Substitution Units at B-4 ("total" of units with "SO₂ decrease" under "CAT7") (July 7, 1993). That estimate also assumes that some allowances that will be created will result from reduced utilization and will be subject to surrender to EPA under §§ 72.91 and 72.92 of the regulations. *Id.* at 7 and 9.

101-228 at 327; Cong. Rec. S16980 (Oct. 27, 1990).³ EPA estimates that the expected reductions by Phase I units alone during Phase I are about 2.4 million tons in 1995 and 1996 and about 3.5 million tons in 1997, 1998, and 1999. Memorandum from T. Larry Montgomery to Brian J. McLean (Oct. 15, 1993). As discussed above, the statutory language and legislative history demonstrate that Congress did not intend these reductions to be eroded by substitution or reduced utilization plans. Yet, under the current regulations, Phase I units can avoid some of these reductions by offsetting their emissions in Phase I with excess, new allowances resulting from such plans. The use of 200,000 excess, new allowances per year in Phase I will negate a significant portion (i.e., 6 to 8 percent) of estimated, expected reductions for Phase I units.

Alternatively, banking these new allowances for use in Phase II will diminish the intended emissions reduction impact of the 8.95 million ton cap established by Congress for Phase II. See 58 FR 60954-60955 (explaining the importance of the Phase II cap). The carryover and use of the excess, new allowances created by early entry of Phase II units into Phase I can result in emissions exceeding the cap for each of the first five years of Phase II by as much as 200,000 tons.

The magnitude of potential erosion of expected emissions reductions supports the Agency's conclusion, based on statutory language and legislative history, that Congress did not intend to allow substitution or compensating units to create allowances for pre-Phase II emissions reductions that would have been achieved in the absence of substitution and reduced utilization plans.⁴ The Agency's conclusion is also

³ Because, as discussed above, Congress did not intend the substitution and compensating unit provisions to create excess, new allowances, commenters erred in claiming that such allowances account for the 2.8 to 4.4 million ton range for estimated Phase I reductions in SO₂. Rather, the range reflected, *inter alia*, uncertainty over what emissions decreases or increases would occur at Phase II units that would not be subject to emissions limitations until Phase II. Because of the lack of emissions limitations on such units in Phase I, the Phase I emissions of these units and the impact on total Phase I reductions could only be projected.

⁴ Thus, contrary to the assertion of some commenters, the Agency's modification of the current regulations is not based on circular reasoning. The statutory language and legislative history demonstrate that Congress did not intend for substitution or reduced utilization plans to result in fewer reductions than without the plans. The analysis that such plans under the January 11, 1993 regulations can result in about 200,000 excess, new allowances per year in Phase I shows the potential magnitude of the problem and supports

supported by Congress' approach in sections 404(e), 405, and 410 of the Act. As discussed in the November 18, 1993 preamble (58 FR 60954), the fact that in those sections Congress carefully limited the ability of Phase II units to obtain additional allowances for pre-Phase II reductions strongly suggests that sections 404(b) and (c) and 408(c)(1)(B) should not be interpreted to allow allowance allocations for all such reductions.

III. Modifications of the January 11, 1993 Regulations

A. Substitution Plans

The Agency is modifying the January 11, 1993 regulations concerning substitution plans by limiting the allowances allocated to a substitution unit to the baseline times the lesser of: the 1985 actual SO₂ emissions rate; the 1985 allowable SO₂ emissions rate; the greater of 1989 or 1990 actual SO₂ emissions rate; or the most stringent federal or State allowable SO₂ emissions rate for Phase I as of November 15, 1990, the date of enactment of title IV of the Act. In addition, the final regulations eliminate the language in the January 11, 1993 regulations providing that a Phase II unit that lacks any common owner or operator but has a common designated representative with a Phase I unit can, without anything more, be designated as a substitution unit.

1. Limiting the Allowances Allocated to Each Substitution Unit

The final rule limits the number of allowances allocated to each substitution unit by calculating the allocation using the lesser of the unit's 1985 SO₂ emissions rate or an SO₂ emissions rate that is reasonably representative of what would have been achieved without the substitution plan. Specifically, a substitution unit will be allocated allowances equal to baseline times the lesser of: the unit's 1985 actual SO₂ emissions rate; the unit's 1985 allowable SO₂ emissions rate; the greater of the unit's 1989 or 1990 actual SO₂ emissions rate; or the most stringent federal or State allowable SO₂ emissions rate as of November 15, 1990 applicable to the unit in 1995-99. The January 11, 1993 regulations consider only the unit's 1985 actual or allowable SO₂ emissions rate.

As discussed above, section 404(b)(5) requires that the substitution plan include a demonstration that the "reassigned tonnage limits [under the plan] will, in total, achieve the same or greater emissions reduction than would

today's modification of the regulations to ensure consistency with the statute.

have been achieved by the original affected unit and the substitute unit or units without such substitution." 42 U.S.C. 7651c(b)(5). The Agency interprets this provision to require that the plan achieve total reductions equal to or greater than both (i) the Table A unit's reduction obligation in Phase I and (ii) the reductions that the substitution unit would have made if it had not entered Phase I, including reductions made, or mandated by federal or State law adopted, prior to the passage of title IV.

The preamble of the January 11, 1993 regulations sets forth a different interpretation of section 404(b)(5) that the Agency concludes is erroneous. As EPA explained in the November 18, 1993 preamble (58 FR 60954-60955):

In the January 11, 1993 preamble, the Agency stated that any reductions in emissions rate that have been, or will be, made at the substitution unit after 1985 without the substitution plan (e.g., reductions for economic reasons or required by federal or State law) "will not have resulted from title IV" and so should "not be counted as reductions that would have occurred without the plan." 58 FR 3601 (emphasis added). The difficulty with this interpretation is that it appears to read out of section 404(b)(5) the requirement to ensure that a substitution plan does not negate reductions "that would have been achieved by * * * the substitute unit * * * without such substitution." 42 U.S.C. 7651c(b)(5). In the absence of the plan, the substitution unit would not be subject to title IV until Phase II. If only reductions required by title IV were considered under section 404(b)(5), the amount of reductions that would have been achieved by the substitution unit without the plan (i.e., the reductions in Phase I) would always be zero * * *. The reference to such reductions would therefore be meaningless. In interpreting the Act, it should not be presumed that Congress adopted meaningless language.

Some commenters on the November 18, 1993 proposal suggested a third interpretation of section 404(b)(5). They claimed that the provision addresses only situations where, as part of the substitution plan, allowances that would be allocated to the substitution unit are instead allocated by EPA to the Table A unit. Specifically, the commenters alleged that the terms "reassigned tonnage limits" and "such substitution" in section 404(b)(5) are synonymous and refer only to the "allocation of a number of allowances to the Table A unit in addition to those that the Table A unit would otherwise receive." Comments of UARG at 33 n. 54 and 34. Accordingly, it is argued that

section 404(b)(5) requires only that the number of additional allowances that are allocated under the plan to the Table A unit cannot be greater than the number of allowances that are subtracted from the allocation that the substitution unit would otherwise receive under the plan.

The Agency rejects this interpretation, which is inconsistent with the substitution plans that the commenters themselves have submitted to the Agency and which would reduce section 404(b)(5) to a triviality. As the commenters noted, section 404(b) describes a substitution plan as "a proposal to reassign, in whole or in part, the affected [Table A] unit's sulfur dioxide reduction requirements to any other unit(s)" under the control of the owner or operator of the Table A unit. 42 U.S.C. 7651c(b) and Comments of UARG at 33. According to the commenters, such reassignment occurs only where allowances otherwise allocated to a substitution unit are instead allocated to the Table A unit. *Id.* at 34 and 40-1. This is allegedly the only circumstance to which section 404(b)(5) would apply.

If the commenters' interpretation were correct, then only those plans that actually provide for such an additional allocation of allowances to the Table A unit would be substitution plans, as defined by section 404(b). However, although § 72.41(c)(4)(ii) of the January 11, 1993 regulations provides the option to redistribute allowance allocations in this way, such redistribution is not required by § 72.41. Moreover, EPA has not received a single substitution plan for any units that includes such a redistribution of allowance allocations. See 58 FR 32667-32670 (June 11, 1993); 58 FR 34582 (June 25, 1993); 58 FR 38373-38375 (July 16, 1993); 58 FR 39543-39544 (July 23, 1993); 58 FR 40812-40813 (July 30, 1993); 58 FR 42065-42069 (Aug. 6, 1993); and 58 FR 43110 (Aug. 13, 1993) (summarizing the allowance allocations under the proposed plans, none of which included any redistribution of allowances from a substitution unit to a Table A unit). Under the commenters' approach, none of the substitution plans submitted to date are "proposals to reassign * * * reduction requirements" under section 404(b). Further, the commenters' interpretation of section 404(b)(5) would reduce that provision to a trivial requirement that EPA cannot give more additional allowances to the Table A unit than it takes from the substitution unit.⁵

⁵ Apparently, EPA could, under the commenters' interpretation, allocate fewer additional allowances

When section 404(b)(5) is properly interpreted, these problems evaporate. The term "reassigned tonnage limits" refers to the total allowance allocations made, in every substitution plan, to the Table A and substitution units under the plan and not simply to redistributed allowances. Thus, section 404(b)(5) requires that each substitution plan must result in "the same or greater" reductions of sulfur dioxide emissions as would have been made by the Table A and substitution units without a substitution plan.⁶ 42 U.S.C. 7651c(b)(5).

The Agency concludes that section 404(b)(5) must be interpreted to take into account, and avoid allocating allowances to the substitution unit for, reductions that would otherwise have been made at the substitution unit since 1985 in the absence of a substitution plan. The Agency maintains that there are two categories of reductions that would otherwise have been made and that therefore should be excluded from the allocation of allowances to substitution units: (1) emissions rate reductions that were made voluntarily, for economic or other reasons, by a substitution unit after 1985 and before enactment of title IV; and (2) emissions rate reductions by a substitution unit between 1985 and 2000 that were mandated by federal or State law as of the enactment of title IV.

a. 1989 or 1990 SO₂ emissions rate. With regard to the first category of emissions reductions, EPA is modifying the January 11, 1993 regulations to provide that substitution units will not be allocated allowances for voluntary emissions rate reductions made before enactment of title IV: i.e., reductions before title IV's enactment that were not mandated by federal or State law and that were made for economic or other reasons. To the extent a unit's emissions rate reductions are caused by economic or other factors that would have existed in Phase I even if the unit did not become a substitution unit, such reductions would have occurred without a substitution plan and therefore must be taken into account under section 404(b)(5) and excluded

to the Table A unit than are subtracted from the substitution unit's allowance allocation.

⁶ The commenters relied on Senate Report No. 101-226 (at 307 and a floor statement by Senator Baucus (136 Cong. Rec. S16980 (daily ed. Oct. 27, 1990) to support the claim that section 404(b)(5) requires consideration only of the emissions reductions that would be achieved by the Table A unit, and not those by the substitution unit, in the absence of the plan. Such reliance is misplaced because section 404(b)(5) explicitly requires that the emissions reductions at both the Table A and the substitution units without the plan be considered. 42 U.S.C. 7651c(b)(5).

from allowance allocations. In theory, any reductions made by a unit between 1985 and 1990 could potentially be in response to such factors and, if so, could be considered as reductions that would have occurred without the substitution plan.

The Agency maintains that there must be a bright line drawn to determine whether a unit's voluntary reductions in emissions rate would occur even if the unit were not a substitution unit. It would be difficult to make accurate case-by-case determinations, concerning a large number of units, as to whether the owners and operator of a particular unit took actions after 1985 to reduce its emissions rate in anticipation of the unit becoming a substitution unit. Such determinations would require analyzing economic and other factors that may be involved (e.g., fuel costs, the timing for retrofitting of pollution controls, and the regulatory benefits and risks of becoming a substitution unit), balancing the factors favoring or disfavoring action to reduce the emissions rate, and judging what the owners and operator would have done in the past concerning the unit's emissions in the absence of substitution plans.⁷ See Comments of Environment Defense Fund and the Natural Resources Defense Council at 16 (submitted Feb. 10, 1994). Similar determinations would presumably have to be made for each approved substitution unit, and allowance allocations might have to be adjusted, each time the owners and operators of the unit take actions after approval of the substitution plan that reduce the unit's emissions rate in Phase I.

The Agency concludes that the best approach to developing a reasonable approximation of what a unit's emissions rate would be in Phase I in the absence of a substitution plan is to treat all voluntary emissions rate reductions after 1985 and through 1990 (the year in which title IV of the Act was passed) as reductions that would have occurred in Phase I in the absence of a substitution plan. Prior to enactment of the Clean Air Act Amendments of 1990, utilities had no reasonable expectation that emissions reductions would generate nationally tradable allowances under the Act. The reductions were not made in response to the availability of allowances under substitution plans. December 31, 1990 (rather than November 15, 1990, the specific date of title IV's enactment) is used as the cut-

off point for determining what reductions that would have occurred without the plan because emissions rate data is available on a calendar year basis. Even though some reductions after 1990 perhaps would have occurred without the plan, it would be difficult to sort out, for a large number of units, the impact of the availability of substitution plans for the period after the substitution provision was enacted.

Further, reductions reflected in a unit's 1989 or 1990 SO₂ emissions rate will be treated as representative of reductions that would continue to be made up through 1999. In the November 18, 1993 proposal, the Agency proposed to use the 1990 actual SO₂ emissions rate as the measure of emissions reductions made before passage of title IV. The 1990 rate was proposed because, as the emissions rate closest to November 15, 1990, it is more likely to reflect all the reductions made prior to passage of title IV. The rate for an earlier year is less likely to reflect all reductions made before passage of title IV. However, several commenters expressed concern that a unit's emissions rate for a single year (i.e., 1990) might be unusually low and therefore unrepresentative of its emissions rate prior to the passage of title IV. These commenters suggested that, if post-1985 emissions rates are used, the Agency should use a formula that allows consideration of actual emissions rates for 1988, 1989, and 1990. See Comments of Utility Air Regulatory Group at 45 (submitted Feb. 10, 1994); Comments of Northern States Power Company at 6 (submitted Feb. 10, 1994). Other commenters claimed that the 1990 emission rate may be lower than the 1985 emission rate because of normal variability in the sulfur content of coal or in scrubber performance. They suggested a case-by-case determination of whether such variability accounts for the lower 1990 emissions rate.

Balancing these factors, the final rule uses the greater of the 1989 or 1990 actual SO₂ emissions rate to reflect pre-title IV emissions rate reductions. A unit's 1989 or 1990 emissions rate (which are the most recent, actual rates prior to the enactment of title IV) will be treated as representative of its emissions rate in Phase I in the absence of a substitution plan. This provides some flexibility to avoid using a single and perhaps unrepresentative year. All voluntary emissions rate reductions made after 1990 will be treated as reductions that would not otherwise have occurred.

Several commenters opposed the use of any post-1985 actual emissions rate in limiting allowance allocations to

substitution units. Commenters argued the use of the 1990 actual emissions rate is arbitrary. Allegedly, this approach is arbitrary because it assumes that emissions-reducing actions that were taken before 1991 for economic reasons will not necessarily continue to be taken after passage of the Clean Air Act Amendments of 1990, which changed the economics of such actions. Commenters stated that utilities might redirect low sulfur coal from the potential substitution unit to another unit and burn higher sulfur coal at the former unit. They also suggested that when the lower sulfur coal contract expires, the utility might contract for higher sulfur coal.

There are several problems with these commenters' arguments. A reduction in a unit's 1989 or 1990 emissions rate from 1985 could be the result of several types of actions, including the addition of pollution control equipment or the use of low sulfur coal. To the extent that the reduction reflects a capital investment in pollution control equipment, it is reasonable to assume that the equipment will probably remain in place and continue to be used. Even where the reductions were achieved through the use of low sulfur coal, the use of such coal or switching to high sulfur coal requires, in many cases, capital investment in new equipment. This reduces the likelihood that emissions reductions made before enactment of title IV would be reversed after passage of title IV.

Moreover, in section 404(b)(5), Congress required EPA to ensure that the reductions achieved under each substitution plan be "the same or greater than" the reductions that would otherwise be achieved without the substitution plan. 42 U.S.C. 7651c. Because of the paramount importance apparently placed on the goal of achieving intended emissions reductions, Congress required the Agency to adopt an approach that would ensure no fewer reductions with substitution plans than without such plans but that could result in more reductions with than without the plans. In light of this statutory requirement and the difficulty of determining what reductions would have been made without substitution plans, the Agency concludes that the 1989 or 1990 actual emissions rate is a reasonable proxy for a unit's Phase I emissions rate without the substitution plan. To the extent that the Agency's approach of using 1989 or 1990 emissions rate overstates the reductions that would be achieved without the plan, the approach errs in a direction that ensures achievement of

⁷ Thus, particularly where there are a large number of units involved, the Agency does not agree with those commenters that claimed that a showing that post-1990 reductions would not have occurred in the absence of a substitution plan would be "easily" evaluated. *Id.*

the paramount statutory objective and is consistent with section 404(b)(5).

In contrast, commenters' preferred alternative—using only 1985 actual or allowable emissions rates—would guarantee, in some cases, violation of the statutory objective of no fewer reductions with, than without, the plan. One particularly graphic example of that result is where a Phase II unit is voluntarily and permanently shutdown between 1985 and 1991 and is brought into Phase I as a substitution unit. Without a substitution plan, the unit would emit no sulfur dioxide and receive no allowances in Phase I. With the plan, the unit would still have no emissions but would be allocated a significant number of new allowances reflecting its 1985 emissions and other units could use the newly created allowances to authorize emissions that would not otherwise have been allowed. See, e.g., 58 FR 38375 (noticing permit application with plan designating, as substitution units, Poston units 1, 2, and 3, which were permanently shut down in 1987). The Agency's use of the most recent actual emissions rates prior to passage of title IV is a reasonable approach to achieving the purposes of section 404(b)(5).

Commenters also argued that the Agency's approach penalizes those utilities that were "environmentally * * * progressive" and will discourage voluntary emissions reductions in the future. Comments of the Class of '85 Regulatory Response Group at 8 (submitted Feb. 10, 1994). However, each utility that made emissions reductions at Phase II units after 1985 and before the date (January 1, 2000) such reductions are required under title IV already benefits in Phase II of the Acid Rain Program, during which the units are allocated allowances reflecting in part the 1985 emissions rate. See Comments of Northern States Power Company at 3 (noting that allocations to most of the utility's units in Phase I and Phase II exceed 1990 emissions levels). The issue here is whether, if such a utility elects to bring selected Phase II units into Phase I, the utility should receive additional benefit (in the form of extra allowances for pre-title IV reductions) that violates section 404(b)(5) of the Act. The Agency believes that the approach in the final rule is a reasonable implementation of section 404(b)(5).

b. Most stringent federal or State SO₂ emissions limitation. In addition to limiting a substitution unit's allowance allocation using the unit's 1989 or 1990 SO₂ emissions rate, EPA is also modifying the January 11, 1993 regulations to provide that a

substitution unit will be allocated allowances based on an emissions rate that does not exceed the most stringent SO₂ emissions limitation imposed in Phase I by federal or State law, as of November 15, 1990. By definition, emissions rate reductions that were mandated prior to title IV's enactment and that are required regardless of whether the unit is a substitution unit are reductions that would have occurred in the absence of the plan.

The agency recognizes the difficulty of determining whether any particular federal or State emissions reduction requirement (whether a tightening or a loosening of emissions limitations), adopted after title IV's enactment, would have been adopted in the absence of substitution plans under title IV.⁸ This is similar to the problem of determining whether voluntary emissions rate reductions after 1990 would have been made without a substitution plan, except that, with regard to federal or State emissions limitations, political factors favoring or disfavoring imposition of the limitations would have to be weighed. Consequently, the Agency maintains that a bright line, based on title IV's date of enactment, should be established and that emissions rate reductions that were mandated by federal or State law adopted after November 15, 1990 should not be treated as reductions that would otherwise have occurred. As explained in the preamble of the November 18, 1993 proposal (58 FR 60956), the most stringent allowable rate for purposes of substitution-unit allowance allocations will be the most stringent rate as of November 15, 1990 after conversion to pounds per mmBtu but without any annualization.

Some commenters argued that the Agency should distinguish between federal emissions limitations and State emissions limitations and consider only federal limitations in allocating allowances to substitution units. They alleged that it is unfair to "penalize"

⁸In contrast, State emissions limitations adopted prior to passage of title IV do not raise the same question about whether they would have been adopted in the absence of title IV. Such emissions limitations, e.g., the Massachusetts acid rain law passed in 1985, were in fact adopted in the absence of any federal acid rain program. The Massachusetts statute included a provision stating that the Massachusetts legislature intended that reductions made under that statute be credited to Massachusetts' share of required reductions if a federal acid rain program was established in the future. Massachusetts, Acts of 1985, Chap. 590 § 9. Some commenters challenged, as contrary to the intent of the Massachusetts law, the use of the Massachusetts emissions limitations to limit allowance allocations under title IV. However, Congressional intent, not the intent of the Massachusetts legislature, is relevant to interpreting title IV.

utilities in States "tak[ing] the lead in controlling air emissions" and that title IV references federal, but not State, emissions limitations. Comments of Dairyland Power Cooperative at 2 (submitted Jan. 26, 1994). However, section 404(b)(5) requires that emissions reductions with the substitution plan be no less than reductions without the plan and does not distinguish between reductions without the plan that are due to State law from those due to federal law. Thus, contrary to the commenters, there is no basis for considering only federal, and ignoring State, emissions limitations in applying section 404(b)(5). Further, the Agency reiterates that:

[S]ince reliance on substitution plans is optional and the use of the most stringent allowable rate (in conjunction with the 1985 actual or allowable rate and the [1989 or] 1990 actual rate) to allocate allowances under such plans is necessary to meet statutory emissions reduction goals, it is difficult to see how such use of the most stringent allowable rate could be viewed as unfair to utilities located in States that mandated reductions. This approach simply prevents the creation of excess, new allowances and thereby ensures that reductions mandated by such States are not used to increase emissions elsewhere above the levels that title IV was intended to achieve. 58 FR 60956.

Using federal or State emissions limitations to limit a particular substitution unit's allowance allocation raises certain questions, particularly where some emissions limitations are not unit specific. For example, under some State laws (e.g., the acid rain laws for Massachusetts and Wisconsin), a utility has a maximum average emissions rate for its units in the State. Under other State laws (e.g., for New Hampshire and Minnesota), a utility has a total tonnage emissions cap for all its units in the State. Maximum average emissions rates or maximum total tonnage limits allow utilities the flexibility to exceed such maximum rates or limits at individual units so long as the maximum rates or limits are met on a utility-wide basis. Since individual units may exceed such maximum rates or limits, the Agency concludes that it should not treat the maximum rates or limits as the most stringent limitation for each individual unit. However, while utility-wide limitations provide some flexibility, such limitations impose bounds on the emissions of individual units, albeit bounds that depend on the emissions from other units owned or operated by the same utility. There is no basis for ignoring the fact that a unit may have to make emissions reductions because of a

utility-wide limitation, just as it may have to reduce emissions because of a unit-specific limitation.

Consequently, the final revised rule provides that the Agency will develop a method for using both the unit-specific and non-unit-specific emissions limitations to limit the allocation of allowances to a substitution unit. This method will not treat non-unit-specific limitations as if they were unit specific and will not allow allocation of allowances for reductions that were necessary to meet non-unit-specific limitations. Because there are significant differences among State laws and the manner in which they express non-unit-specific emissions limitations, the final revised rule gives the Agency the authority to develop this method on a case-by-case basis for each proposed substitution unit. This approach will give the Agency the flexibility to take account of variations among States and will allow interested parties an opportunity, e.g., in proceedings on individual permits, to comment on the method that the Agency proposes to use with regard to a particular non-unit-specific limitation.

Several commenters made specific recommendations concerning the method that EPA should use to apply the unit-specific limitations under Wisconsin's acid rain law. Under the Wisconsin law, each major utility that generates electricity in the State must achieve an annual average sulfur dioxide emissions rate that does not exceed 1.2 lbs per mmBtu starting in 1995 from all fossil fuel-fired boilers under the utility's ownership or control. A Wisconsin utility that meets certain requirements may trade emissions with another Wisconsin utility. One utility accepts—and adds to its annual emissions—emissions from another utility, which subtracts those emissions from its annual emissions and thereby reduces its annual average emissions rate in order to meet the utility-wide limit. Some commenters suggested that, in initially allocating allowances to substitution units in Wisconsin, EPA consider only those Federal and State limitations that are expressed as unit-specific limitations and not the utility-wide limits under Wisconsin's acid rain law. These commenters supported an end-of-year review in which each Wisconsin utility will have to demonstrate whether, if the allowances allocated to its substitution units in Wisconsin are treated as emissions by those units, the utility will still be in compliance for that year with 1.2 lbs per mmBtu limit. In this demonstration, the utility will sum the actual annual emissions of each boiler owned or

controlled by the utility, except in the case of a substitution unit where the allocated allowances will be used. Where emissions were traded for the year, traded emissions will be subtracted by one utility from, and added by another utility to, the sum of emissions and allowances. The total will be divided by the sum of the annual mmBtu utilization of all the boilers involved. To the extent that the result exceeds 1.2 lbs per mmBtu, the utility will be required to surrender, and EPA will deduct, allowances allocated to the substitution units for that year. No commenters supported imposing limits on the ability to transfer the substitution unit's allowances prior to the end-of-year review. However, one commenter opposed the use of any end-of-year review to apply the Wisconsin utility-wide emissions limit.

The Agency is not deciding in the instant rulemaking what particular procedure will be used for applying non-specific emissions limitations and whether to adopt an approach involving end-of-year review. However, such review may be the best way to take account of the flexibility that the Wisconsin acid rain law and other State provisions provide to individual units in meeting State emissions limitations. The final revised rule, therefore, allows EPA to decide on a case-by-case basis, e.g., in individual permit proceedings on proposed substitution units, whether to require end-of-year review to apply non-unit-specific emissions limitations. The final revised rule also authorizes the Agency to require allowance surrender, and make allowance deductions, by the allowance transfer deadline as a result of such review.⁹

The Agency maintains that it is unnecessary to impose, pending any end-of-year review, limitations on the ability to transfer a substitution unit's allowances. The risk that a substitution unit will not have allowances in its Allowance Tracking System account to cover the deduction is small. As of the allowance transfer deadline, the unit's account must contain, in any event, sufficient allowances to cover its emissions for the prior year. The deduction of allowances resulting from the substitution unit's end-of-year review must be made before the Agency determines whether the unit's emissions

exceeded its available allowances. Consequently, the failure of the substitution unit to have sufficient allowances to cover any deduction resulting from the end-of-year review will constitute a violation of § 72.41 (and so the Clean Air Act itself) and will result in excess emissions and trigger excess emissions penalties. Not only are limitations on transferability unnecessary, but also they would reduce the compliance flexibility that Congress intended to provide through substitution plans. The final rule therefore does not impose any limits of transferability, pending any end-of-year review.

In sum, the Agency concludes that a substitution unit should be allocated allowances based on the lesser of four emissions rates for the unit: 1985 actual SO₂ emissions rate; 1985 allowable SO₂ emissions rate; the greater of 1989 or 1990 actual SO₂ emissions rate, or the most stringent Federal or State allowable SO₂ emissions rate applicable in 1995–99 as of November 15, 1990. The first two emissions rates are set forth in section 404(b)(2) of the Act. The latter rates are added in order to ensure, in accordance with section 404(b)(5), that a substitution plan will result in at least the same amount of reductions that would have occurred without the plan.

This approach requires the submission to EPA of data on the 1989 and 1990 emissions rates and the emissions limitations for 1995–99. For the reasons set forth in the November 18, 1993 preamble (58 FR 60956), the Agency maintains that section 404(b) provides adequate authority to require submission of this data and to use the data to calculate the allowance allocation under the plan.

c. Baseline. Under the final revised rule, a substitution unit's allowance allocation is calculated by multiplying the lower of the above-discussed emissions rates by the baseline, which reflects 1985–87 utilization. The January 11, 1993 regulations used baseline (and only the 1985 actual or allowable SO₂ emissions rate) to calculate the allowance allocation. In the November 18, 1993 preamble, the Agency discussed the options of basing allocations on utilization at the time a permit application is submitted or requiring utilities to project what future utilization of the substitution units would be in Phase I without the substitution plan and using the projected utilization to allocate allowances. No commenters supported the use of projected utilization, and those that specifically addressed the matter preferred continued use of baseline. For the reasons set forth in the

⁹ Contrary to one commenter's claim, the fact that section 402(3) of the Act defines "allowance" as "an authorization . . . to emit . . . one ton of sulfur dioxide" in no way bars the imposition of a requirement, consistent with other sections of the Act, to surrender allowances. 42 U.S.C. 7651a(3). Section 403(f) of the Act states that an allowance allocated under title IV is "a limited authorization to emit sulfur dioxide in accordance with the provisions of this title." 42 U.S.C. 7651b(f).

preamble (58 FR 60956-57), the Agency concludes that a substitution unit's baseline should continue to be used to calculate the allowance allocation.

2. Limiting the Number of Substitution Units

The Agency rejects modifications of the January 11, 1993 regulations making upfront approval of the designation of substitution units and allocation of allowances to such units contingent on an end-of-year review of the need for such units for each year that the plan was in effect. Under such an approach, the Agency would allow only those designations of substitution units that actually proved to be needed. No commenters supported that approach.

Because allowance allocations for substitution units are limited as discussed above, the Agency concludes that requiring end-of-year review of the need for substitution units and thereby limiting the number of such units is unnecessary. If a substitution unit is not allocated allowances for emissions rate reductions that would have occurred without a substitution plan, then the unit will use up all or most of its allocated allowances unless the unit made new emissions rate reductions that would not otherwise have been made. To the extent that a substitution unit frees up allowances by making such new emissions rate reductions, section 404(b)(1)(5) is not violated. See 58 FR 60957. In short, because today's final rule prevents any substitution unit from creating new, excess allowances, there is no need to impose further requirements limiting the number of substitution units.

3. Requirement That the Substitution Unit Be Under Control of the Table A Unit's Owner or Operator

The January 11, 1993 regulations provide that the statutory requirement that the substitution unit be under the control of the Table A unit's owner or operator is satisfied where such units have only a common designated representative. This was based on the determination that a common designated representative qualifies, in such cases as an operator. 40 CFR 72.41(b)(1)(i); see also 42 U.S.C. 7651c(b). In the November 18, 1993 preamble, the Agency proposed to reverse its interpretation that having a common designated representative, without more, meets this statutory requirement and to revise the regulations accordingly. 58 FR 60957-60958. The Agency today adopts the reasoning, set forth in the November 18, 1993 preamble (*Id.*) and in the preamble of the Acid Rain regulations on nitrogen

oxides (59 FR 13554-55), that a designated representative is not, merely by holding that position, also an operator.

In the preamble of the January 11, 1993 regulations, the Agency stated that, under some circumstances, a designated representative's "duties and level of responsibility can be equivalent to that of an operator." 58 FR 3600. One such case, identified by the Agency, was where a designated representative represents multiple sources participating in a substitution plan and otherwise lacking the same owner or operator. In that case, the designated representative's responsibilities are allegedly "broad enough to bring him or her within the definition of operator." *Id.* As discussed in the November 18, 1993 proposal and the March 22, 1994 final NO_x rule, a designated representative's responsibilities in a multi-source substitution plan are not actually any broader or more complex than they are under other compliance options. Therefore, there is no basis for treating a designated representative in such a substitution plan any differently than a designated representative under any other compliance option. In all such cases, a designated representative is not an operator. The final revised rule reflects this conclusion by eliminating language from the January 11, 1993 regulations that provided that units with a common designated representative, and nothing more, could participate in a substitution plan.

Some commenters note that, although § 72.41(b)(1)(i) requires that the substitution and Table A units have "the same owner or operator" (40 CFR 72.41(b)(1)(i) (1993)), section 404(b) itself states that the substitution unit must be "under the control of the owner or operator" of the Table A unit. They argue that, in implementing section 404 (b) and (c), the Agency should focus on whether there is such control. They suggest that the ownership of the units is not necessarily determinative of whether the control requirement is met. They allege that, on one hand, where the units have multiple owners only one of which is in common, the control requirement may not be met. On the other hand, where the units lack the same owner or operator, the control requirement allegedly may be met through contractual arrangements under which the owner and operator of the substitution unit commit, *inter alia*, to make emissions reductions and deliver allowances to the owner and operator of the Phase I unit.

In this final rule, the Agency is not addressing these additional issues concerning under what circumstances a

proposed substitution unit is considered to be under the control of the owners or operator of a Phase I unit. EPA is addressing these issues, and the related comments, in a separate direct final rule in this *Federal Register*. In order to preserve these issues for resolution, the Agency is adopting, in today's final rule, the statutory language requiring that the owner or operator of the Phase I unit "control" the substitution unit that it designates.

4. Other Changes

The Agency has adopted several other minor changes to clarify the current § 72.41. For example, as discussed above, a substitution plan may distribute allowances between the substitution unit and the Table A unit. The final rule makes it clear in § 72.41(c)(4)(ii) that, where there is more than one Table A unit in a plan, allowances may be distributed from a substitution unit only to the Table A unit that designated that substitution unit. The final rule also eliminates the superfluous, but potentially confusing, final sentence in that section of the January 11, 1993 rules because the sentence simply repeats the limitation in § 72.41(c)(3)(ii) on the total number of allowances available under a substitution plan. See 40 CFR 72.41(c)(4)(ii) (1993).

B. Reduced Utilization Plans

The January 11, 1993 regulations implementing substitution and reduced utilization plans pose similar problems concerning the creation of excess, new allowances. However, because section 408(c)(1)(B) of the Act (unlike sections 404(b) and (c)) specifies the formula for allocating allowances, the Agency is adopting a different approach in modifying the requirements for compensating units than the one adopted today for substitution units. In order to ensure that reduced utilization plans are used as a means of accounting for emissions from load shifting from Phase I units and not as a method of creating excess, new allowances through early entry of Phase II units into Phase I, the Agency must limit the circumstances under which Phase II units can become compensating units.

In the November 18, 1993 notice of proposed rulemaking, the Agency suggested two options for limiting the designation of compensating units: the first option requiring that the compensating units be actually needed to compensate for reduced utilization and involving an end-of-year review of need; and the second option limiting up-front the category of units that can qualify to become compensating units.

The Agency is today rejecting the first option and is adopting the second option with some modifications.

1. Limiting the Category of Units That Can Qualify as Compensating Units

Under the option (Option 2 in the November 18, 1993 proposal) adopted today with some changes, the category of units that may be designated as compensating units is limited to those units whose designation cannot create excess, new allowances. The final revised rule provides that a unit can be designated as a compensating unit only if (1) the unit's baseline multiplied by the lesser of the unit's 1985 actual or allowable SO₂ emissions rate does not exceed (2) the baseline multiplied by the lesser of (i) the greater of the unit's 1989 or 1990 actual SO₂ emissions rate or (ii) the unit's most stringent federally enforceable or State enforceable SO₂ emissions limitation for SO₂ for 1995-99 as of November 15, 1990 plus (iii) the lesser of 10 percent of the tonnage calculated under (1) or 200 tons.

Consistent with its conclusions concerning substitution units, the Agency maintains that excess allowances may be created by the designation, as a compensating unit, of any Phase II unit whose baseline, multiplied by what its annual SO₂ emissions rate in Phase I would be in the absence of the designation, is less than the annual allowances allocated to the unit as a compensating unit. Even if such a Phase II unit increases its own generation to provide compensating generation, the unit may be able to use its own allowance allocation to cover its own emissions without making any more emission rate reductions than it would have otherwise made. In addition, the unit may have extra allowances to transfer, sell, or bank for future use. In order to prevent the creation of excess, new allowances, such units will not be allowed to be designated as compensating units.

For the reasons discussed above, the Agency concludes that excess, new allowances are created when Phase II units entering Phase I (e.g., compensating units) are allocated allowances for emissions rate reductions made, or mandated by federal or State law adopted, before passage of title IV. The general approach in the final rule is to bar, from becoming compensating units, those units that would otherwise receive such allocations if they were compensating units. Units that qualify as compensating units will be allocated allowances under the formula in section

408(c)(1)(B), i.e., baseline times the 1985 actual or allowable emissions rate.¹⁰

Contrary to some commenters, section 408(c)(1)(B) does not require the Administrator to approve whatever units a utility designates as compensating for reduced utilization. The Administrator must approve only those compensating-unit designations that are consistent with the purposes of title IV. 42 U.S.C. 7651h(c)(2). Section 408(c)(1)(B) does not expressly require the Administrator to consider a unit's 1989 or 1990 actual emissions rate or its most stringent emissions limitation. However, in reviewing proposed compensating units using these factors, the Agency is implementing section 408(c)(1)(B) in a way that precludes "a pattern or practice"—i.e., designation of compensating units that would receive excess, new allowances—"that is counter to the intent of section 404 and * * * title [IV of the Act]." Senate Rep. 101-228 at 334.

This approach is similar to that adopted with regard to substitution units except that, while the final rule allows units to become substitution units and adjusts their allocations, the final rule completely bars certain units from becoming compensating units. Consistent with the provisions concerning substitution units, the provisions for compensating units use the greater of the unit's 1989 or 1990 emissions rate as reasonably reflecting voluntary emissions reductions made before passage of title IV. Similarly, the provisions for substitution units and the provisions for compensating units take the same approach (including the treatment of non-unit-specific emissions limitations) to using the most stringent federal or State emissions limitations. See section III(A)(1)(b) of this preamble.

However, because some units could otherwise be completely barred from becoming compensating units because of very small differences (e.g., due to normal variability in coal quality) between their 1985 emissions and their actual or mandated emissions as of the passage of title IV, the Agency is building some extra flexibility into the provisions governing compensating units. The final rule allows the designation of compensating units whose baseline times the 1985 emissions rate is greater by only a very small amount (i.e., the lesser of 10 percent or 200 tons) than their baseline times the lesser of their 1989 (or 1990) emissions rate or their most stringent

emissions limitation for Phase I. The flexibility band is measured in tons of emissions in order to ensure that the potential for creating excess, new allowances is restricted. Further, the flexibility band is also limited as a percentage of 1985 emissions because the band must apply to all potential compensating units, which can vary significantly in size and thus in total emissions. Using only a percentage limit or only a specific tonnage would have an inconsistent impact on units of different sizes.

Because of the inherent unreliability of projected utilization figures (discussed above in section III(A)(1)(c) of this preamble), baseline, not projected utilization, will be used to determine whether a unit qualifies as a compensating unit. If a utilization projection less than baseline were used to determine that a unit qualified as a compensating unit but subsequently the unit had a higher actual utilization in Phase I that would have otherwise disqualified the unit, the unit could create excess, new allowances.

In order to be approved, the designation of a compensating unit, of course, must meet the requirements in the January 11, 1993 regulations for reduced utilization plans as well as the additional requirement imposed in today's final revised rule. After determining that a particular proposed compensating unit meets all these upfront requirements, the Agency will approve the designation and allocate allowances for the unit. The Agency will not conduct any end-of-year review of the need for the compensating unit.

If a designated representative of a Phase I unit has no Phase II unit that will provide compensating generation and that meets all the upfront requirements for designation, the designated representative will not be required to submit a reduced utilization plan designating a compensating unit. The allowance surrender provisions in §§ 72.91 and 72.92 will continue to apply.

2. End-of-Year Review of the Need for Compensating Units

Under the rejected option (Option 1 in the November 18, 1993 proposal), units would have been allowed to remain as compensating units and would have retained allocated allowances only where the compensating units were actually needed to account for reduced utilization. See 58 FR 60959-60961. The Agency proposed in Option 1 to modify the reduced utilization provisions by granting upfront approval of a reduced utilization plan with compensating units but making approval contingent

¹⁰ Thus, despite the claim of some commenters, Option 2 of the proposal does not change the allocation formula, which applies once it is determined that a unit qualifies as a compensating unit.

on an end-of-year determination by the Administrator that each compensating unit was needed for the year. A unit designated as a compensating unit would have become a Phase I unit and would have been allocated allowances upon upfront approval of the reduced utilization plan. However, a compensating unit would not have been allowed to transfer allowances allocated for any given year in Phase I unless and until an end-of-year determination of need was made for that unit for that year. If the unit was not shown to be needed, the unit would have been retroactively de-designated for the year and the allowances allocated for the year would have been deducted.

Under Option 1, a unit could be deemed, in the end-of-year review, to be needed as a compensating unit only for years in which: the Phase I unit actually had utilization below baseline; the Phase I units in the initial Phase I unit's dispatch system actually had total net utilization below the sum of their baselines after taking account of all sulfur-generation acquired by the dispatch system; and the proposed compensating unit actually provided compensating generation to that dispatch system. Further, the Administrator would determine how much compensating generation each compensating unit proposed for any Phase I unit potentially could have provided. The only compensating unit designations that would be allowed for any Phase I units in the dispatch system would be designations of compensating units whose potential excess generation would have been necessary to meet the potential need for compensating generation for the dispatch system as a whole.

The Agency is rejecting Option 1 because Option 2 is a simpler approach that ensures that, consistent with title IV and Congressional intent, compensating units cannot be used to create excess, new allowances. In contrast to Option 2, Option 1 would require designated representatives to make complicated end-of-year demonstrations of need, summarized above, and EPA to review and evaluate those demonstrations. Trading of allowances allocated to compensating units would be inhibited in that such trading would be barred pending completion of the Agency's review.¹¹ Further, while Option 1 would reduce the number of compensating units and thus the total amount of

excess, new allowances that they could create, that option would not entirely eliminate the problem: those compensating units meeting the requirements of Option 1 could still create some excess, new allowances. Finally, the vast majority of commenters supported the use of Option 2 over Option 1.

3. Reporting and Allowance Surrender

The November 18, 1993 proposal included a number of changes—both substantive and nonsubstantive changes—to §§ 72.43 and 72.91 concerning reporting and allowance surrender requirements. 58 FR 60961-60962 (describing these changes). These changes are included in the final revised rule.

Commenters addressed only two of these changes. Under the proposal and the final revised rule, where a sulfur-free generator is designated outside a unit's dispatch system, the designated representative must submit, as part of the reduced utilization plan, the contractual agreements governing the "acquisition" of electricity by the unit's dispatch system from that generator. In addition, where a shift of generation from any designated sulfur-free generator (whether the generator is within or outside the dispatch system) is claimed, the designated representative must document that at least the amount claimed to have been shifted was actually "acquired" by the unit's dispatch system from the generator. The January 11, 1993 regulations referred to the contractual agreements governing and documentation concerning the "purchase", rather than the "acquisition", of electricity from sulfur-free generators. See 48 FR 3672 and 3682 (§§ 72.43(c)(4)(iv) and 72.91(a)(6) (1993)). Commenters supported this change adopted in the November 18, 1993 proposal. Some sulfur-free generators have multiple owners and may be owned in part by the unit's dispatch system. In such cases, the unit's dispatch system may not acquire electricity from the generator through a "purchase" but rather may acquire the electricity based on its ownership share. Further, it is important to ensure that multiple owners of sulfur-free generators claim only their respective shares of the sulfur-free generation. Consequently, the Agency is requiring documentation concerning the "acquisition," which encompasses not only "purchases" (as under the January 11, 1993 rule) but also acquisitions based on ownership. Further, the requirement to document actual

acquisition applies to all designated sulfur-free generators.

One commenter stated that the documentation required, under the proposal, for acquisition of sulfur-free generation is more stringent than necessary. The commenter noted that, under the proposal, the designated representative must demonstrate that electricity was actually acquired from "a particular sulfur-free generator." Comments of Oglethorpe Power Corporation at 7. Allegedly, it is "extremely difficult to trace energy back" to the sulfur-free generator. *Id.* The commenter further alleged that requiring that "a unit power or similar power sale agreement" govern the acquisition will result in "significant regulatory or other approval delays." *Id.* at 6. The commenter suggested that, instead of these requirements, the Agency require that the designated representative of the Phase I unit simply obtain the consent of an owner of the sulfur-free generator to claim, for purposes of the reduced utilization plan, some or all of that owner's share of generation from the sulfur-free generator. In order to ensure that the designated representative does not make such claims without actually getting the consent of the generator-owner, the commenter urged that EPA require that a copy of any reduced utilization plan involving a sulfur-free generator be given to all owners of the generator and the designated representative of the Phase I unit certify to EPA that the necessary consent was obtained. *Id.* at 5.

Under the commenter's approach, a Phase I unit would be relieved of the obligation to surrender allowances simply because it obtained the consent of an owner of a sulfur-free generator to "claim" some of that owner's electricity from the generator. As explained by the commenter, there would not have to be any actual acquisition of electricity by the dispatch system of the Phase I unit from the sulfur-free generator. However, the rationale for allowing the Phase I unit to avoid surrendering allowances if it designates a sulfur-free generator is that the Phase I unit is replacing the reduction in its own generation below its 1985-87 level with electricity from a source (i.e., a sulfur-free generator) that does not emit any sulfur dioxide when producing that electricity. To the extent the Phase I unit replaces its own reduced generation with electricity from units that emit sulfur dioxide in the process, allowances must be surrendered in order to account for the emissions consequences of the reduced utilization of the Phase I unit. Otherwise, the Phase I unit could bank its unused allowances "notwithstanding

¹¹ Because the Agency is rejecting all the limitations, discussed in the November 18, 1993 proposal, on the trading of allowances allocated to compensating or substitution units, the Agency has decided not to adopt any revisions to § 73.52 in the Allowance System rule.

the fact that actual emissions reductions had not been paid for or achieved" at that unit. 56 FR 63019.

The Agency recognizes that the complexity of the movement of electricity through interconnected transmission and distribution systems make it difficult to determine precisely the source of compensating generation. 56 FR 63023. That does not mean that all efforts, in the allowance surrender procedure, to reflect actual electricity transactions and to approximate resulting emissions should be abandoned. Under the commenter's approach, "paper" claims to sulfur-free generation that may have no actual, underlying energy transactions could be used to avoid allowance surrender. Such an approach would run contrary to the rationale for allowing the designation of sulfur-free generators and therefore is rejected.

Thus, the final revised rule includes the requirements that the designated representative of the Phase I unit submit: Contractual agreements that expressly provide for the acquisition of electricity by the unit's dispatch system from the designated sulfur-free generator outside the dispatch system, which generator must be identified in the agreements; and documentation that such acquisition from the identified generator actually took place. (Similarly, to ensure that claims of compensating generation are based on actual transactions, the same approach is taken for compensating units outside the dispatch system. See 58 FR 60961 (proposing parallel treatment of sulfur-free generators and compensating units).)

In light of these requirements, commenter's concern—that Phase I units lacking a common owner with a sulfur-free generator may claim to have acquired from the generator electricity that is actually sulfur-free generation retained by an owner of the generator—is misplaced. A sulfur-free generator can be designated only by those Phase I units that meet certain requirements. A Phase I unit whose dispatch system includes the generator may designate that generator.¹² If the generator is outside the dispatch system of a Phase I unit, the Phase I unit may designate the generator if the dispatch system has a contract specifically providing for the acquisition of electricity from the particular generator. A contract to

purchase power from the dispatch system of an owner of the sulfur-free generator, where the sulfur-free generator is not specified as the source of the power, is not sufficient. If the dispatch system of the Phase I unit has a contract specifically to purchase power generated at the sulfur-free generator and the contract is with a third party that is not an owner of the generator, the designated representative must show that the third party in turn has an agreement with an owner of the generator specifically to purchase power from the generator. Further, § 72.91(a) (5) and (6) require that the designated representative document the amount of power actually acquired from the sulfur-free generator and that the designated representatives of all Phase I units claiming generation from the same generator must agree on apportionment of the available generation. It is difficult to see how a Phase I unit could take credit for electricity legitimately claimed by an owner of the sulfur-free generator. Consequently, it is unnecessary to impose the additional requirements suggested by the commenter.

IV. Applicability of Rule Revisions to Existing Permit Applications

In the November 18, 1993 proposal, the Agency requested comment on how to address any reliance by owners and operators on the January 11, 1993 regulations. The Agency noted that it had proposed in draft Acid Rain permits to approve for 1995, under the January 11, 1993 regulations, those substitution plans and those reduced utilization plans with compensating units that EPA determined to be in compliance with those regulations. 58 FR 60962. In a subsequent extension of the period for comments on the November 18, 1993 proposal, the Agency requested comments on whether any of the allowances allocated to substitution or compensating units under the January 11, 1993 regulations should be returned to EPA at some future time. 59 FR 3660 (Jan. 26, 1994).

In the November 18, 1993 proposal, it was also noted that, in the draft permits, EPA had proposed to defer action on those compliance options with regard to 1996–1999 pending completion of the instant rulemaking. 58 FR 60962–60963. In notices of draft permits, the Agency had stated that it intended to take this approach for all substitution and reduced utilization plans submitted before July 16, 1993 but that, with regard to such plans submitted on or after July 16, 1993, it intended to defer action for all of Phase I on those compliance options until completion of

the rulemaking. 58 FR 38371 (July 16, 1993); 58 FR 39542–39543 (July 23, 1993); 58 FR 40812 (July 30, 1993); 58 FR 42065 (Aug. 6, 1993); 58 FR 43107 (Aug. 13, 1993).

The Agency had explained in draft permits, notices of draft permits, and the November 18, 1993 proposal that it was taking the position that it had the authority under the January 11, 1993 regulations to defer action on compliance options. See, e.g., 58 FR 60963. Nevertheless, the Agency proposed, in the November 18, 1993 notice of proposed rulemaking, to add language to §§ 72.62 and 72.82 of the January 11, 1993 regulations "making this authority more explicit." *Id.*

However, the Agency concludes that it is no longer necessary to defer action for any period on any substitution or reduced utilization plans that have been submitted. The Agency has already issued direct final permits addressing these plans for all years during 1995–1999 for which the plans were proposed. See, e.g., 59 FR 37755 (July 25, 1994); 59 FR 38454 (July 28, 1994); 59 FR 39339 (Aug. 2, 1994); and 59 FR 39767 (Aug. 4, 1994). Most of the permits automatically became final. Significant, adverse comment was received on several permits, which were repropounded and have now been issued in final form. See 59 FR 49395–49396 (Sept. 28, 1994). As provided in the May 4, 1994 settlement, the substitution and compensating units designated in the plans are allocated allowances in Phase I under settlement provisions consistent with today's final revised rule and receive for one or two years any additional allowances (referred to, in the settlement, as "excess" allowances) that would be provided under the January 11, 1993 regulations. Consistent with the May 4, 1994 settlement, allowances equal to the number of additional allowances allocated for one or two years will be deducted from a future year subaccount in the unit's Allowance Tracking System account.

Consequently, the Agency is withdrawing its position, set forth in draft permits, notices of draft permits, and the November 18, 1993 proposal, that it has the authority under the January 11, 1993 regulations to defer action on compliance options. The Agency is taking no position at this time on whether it has such authority. Further, under these circumstances, the Agency is not adopting the revisions to §§ 72.62 and 72.82 as proposed on November 18, 1993. The comments that were submitted on these proposed revisions and on the Agency's authority to defer action on compliance options

¹² No contract to acquire power from the sulfur-free generator is required if the generator is in the Phase I unit's dispatch system. Since a given sulfur-free generator can be included in only one dispatch system, Phase I units in any other dispatch system must have such a contract in order to designate the generator.

are therefore no longer relevant and require no response at this time.

Moreover, the Agency is not addressing, in this rulemaking, questions concerning whether and how to apply today's final revised rule to permit applications submitted to the Agency prior to the effective date of the final revised rule. These matters—including the question of whether allowances allocated to substitution or compensating units under the January 11, 1993 rules should be returned to EPA in the future—were addressed when, as noted above, the final permits were issued with regard to these permit applications. The Agency considered, in the individual permit application proceedings, both the comments on this matter submitted in this rulemaking and those comments submitted on the draft permits.

V. Administrative Requirements

A. Docket

The docket is the organized and complete file of all the information considered by EPA in the development of this rulemaking. The Agency notes that, consistent with the May 4, 1994 settlement, several parties withdrew comments or portions of comments that they had submitted concerning matters addressed in the November 18, 1993 proposal. Along with the preamble of the proposal and final rule, the contents of the docket—except for interagency review materials and all comments or portions of comments that were withdrawn prior to the date of the Administrator's signature on this final rule—will constitute the record in case of judicial review. See 42 U.S.C. 7607(d)(7)(A).

B. Executive Order 12866

Under Executive Order 12866, 58 FR 51735 (Oct. 4, 1993), the Administrator must determine whether the regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) Materially alter the budgetary impact of entitlements, grants, user fees,

or loan programs or the rights and obligations of recipients thereof; or
(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a "significant regulatory action" because the rule seems to raise novel legal or policy issues. As such, this action was submitted to OMB for review. Any changes made in response to OMB suggestions or recommendations are documented in the public record. Any written comments from OMB to EPA and any written EPA response to those comments are included in the docket. The docket is available for public inspection at the EPA's Air Docket Section, which is listed in the ADDRESSES section of this preamble.

C. Paperwork Reduction Act

The information collection requirements in this rule have been approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*, and have been assigned control number 2060-0258.

This collection of information has an estimated burden averaging from 8 to 16 hours per response for about 124 responses. These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

An Information Collection Request document and estimates of the public reporting burden were prepared in connection with the January 11, 1993 regulations. 56 FR 63098; 58 FR 3650. The regulation modifications contained in today's proposal will not significantly change the reporting burden that was previously estimated.

Send comments regarding this burden analysis or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, Information Policy Branch, EPA, 401 M Street, S.W. (Mail Code 2136), Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

D. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, requires each federal agency to consider potential impacts of its regulations on small business "entities." Under 5 U.S.C. 604(a), an agency issuing a notice of proposed rulemaking must prepare and make

available for public comment a regulatory flexibility analysis. Such an analysis is not required if the head of an agency certifies that a rule will not have a significant economic impact on a substantial number of small entities, pursuant to 5 U.S.C. 605(b).

In the preamble of the January 11, 1993 regulations, the Administrator certified that those regulations, including the provisions revised by today's final rule, would not have a significant impact. 58 FR 3649. The final rule revisions adopted today are not significant enough to change the economic impact addressed in the preamble of the January 11, 1993 regulations, which were certified as not having a significant impact. The revisions will prevent the creation of about 200,000 excess, new allowances and thus will have an annual impact of about \$318,000 per year in Phase I, i.e., 200,000 allowances times \$159 (the weighted average winning bid for 1995 allowances in the EPA 1994 Allowance Auction on March 28, 1994. See 59 FR 19712, 19714 (Apr. 25, 1994)). Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the revised rule will not have a significant, adverse impact on a substantial number of small entities.

E. Miscellaneous

In accordance with section 117 of the Act, publication of this rule was preceded by consultation with any appropriate advisory committees, independent experts, and federal departments and agencies.

List of Subjects in 40 CFR Part 72

Environmental protection, Acid rain, Air pollution control, Electric utilities, Permits, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: November 14, 1994.

Carol M. Browner,
Administrator.

For the reasons set forth in the preamble, chapter I of title 40 of the Code of Federal Regulations is amended as follows.

PART 72—[AMENDED]

1. The authority citation for part 72 is revised to read as follows:

Authority: 42 U.S.C. 7601 and 7651, *et seq.*

2. Section 72.41 is amended by revising paragraphs (b)(1)(i), (c)(3) introductory text, (c)(3)(i)(B), (c)(3)(i)(C), (c)(3)(ii), (c)(4)(ii), (d)(2), and (e)(1)(i) and adding paragraphs (c)(3)(i)(D), (c)(3)(iii), and (d)(3) to read as follows:

§ 72.41 Phase I substitution plans.

(b)(1) ***

(i) Each unit under paragraph (a)(2) of this section is under the control of the owner or operator of each unit under paragraph (a)(1) of this section that designates the unit under paragraph (a)(2) of this section as a substitution unit; and

(c) ***

(3) Demonstration that the total emissions reductions achieved under the substitution plan will be equal to or greater than the total emissions reductions that would have been achieved without the plan, as follows:

(i) ***

(B) Each of the following: the unit's 1985 actual SO₂ emissions rate; the unit's 1985 allowable SO₂ emissions rate; the unit's 1989 actual SO₂ emissions rate; the unit's 1990 actual SO₂ emissions rate; and, as of November 15, 1990, the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation covering the unit for 1995-1999. For purposes of determining the most stringent emissions limitation, applicable emissions limitations shall be converted to lbs/mmBtu in accordance with appendix B of this part. Where the most stringent emissions limitation is not the same for every year in 1995-1999, the most stringent emissions limitation shall be stated separately for each year.

(C) The lesser of: the unit's 1985 actual SO₂ emissions rate; the unit's 1985 allowable SO₂ emissions rate; the greater of the unit's 1989 or 1990 actual SO₂ emissions rate; or, as of November 15, 1990, the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation covering the unit for 1995-99. Where the most stringent emissions limitation is not the same for every year during 1995-1999, the lesser of the emissions rates shall be determined separately for each year using the most stringent emissions limitation for that year.

(D) The product of the baseline in paragraph (c)(3)(i)(A) of this section and the emissions rate in paragraph (c)(3)(i)(C) of this section, divided by 2000 lbs/ton. Where the most stringent emissions limitation is not the same for every year during 1995-1999, the product in the prior sentence shall be calculated separately for each year using the emissions rate determined for that year in paragraph (c)(3)(i)(C) of this section.

(ii)(A) The sum of the amounts in paragraph (c)(3)(i)(D) of this section for

all substitution units to be governed by the plan. Except as provided in paragraph (c)(3)(ii)(B) of this section, this sum is the total number of allowances available each year under the substitution plan.

(B) Where the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation is not the same for every year during 1995-1999, the sum in paragraph (c)(3)(ii)(A) of this section shall be calculated separately for each year using the amounts calculated for that year in paragraph (c)(3)(i)(D) of this section. Each separate sum is the total number of allowances available for the respective year under the substitution plan.

(iii) Where, as of November 15, 1990, a non-unit-specific federally enforceable or State enforceable SO₂ emissions limitation covers the unit for any year during 1995-1999, the designated representative shall state each such limitation and propose a method for applying the unit-specific and non-unit-specific emissions limitations under paragraph (d) of this section.

(4) ***

(ii) A list showing any annual distribution of the allowances in paragraph (c)(3)(ii) of this section from a substitution unit to a unit under paragraph (a)(1) of this section that, under the plan, designates the substitution unit.

(d) ***

(2) In no event shall allowances be allocated to a substitution unit, under an approved substitution plan, for any year in excess of the sum calculated and applicable to that year under paragraph (c)(3)(ii) of this section, as adjusted by the Administrator in approving the plan.

(3) Where, as of November 15, 1990, a non-unit-specific federally enforceable or State enforceable SO₂ emissions limitation covers the unit for any year during 1995-1999, the Administrator will specify on a case-by-case basis a method for using unit-specific and non-unit-specific emissions limitations in allocating allowances to the substitution unit. The specified method will not treat a non-unit-specific emissions limitation as a unit-specific emissions limitation and will not result in substitution units retaining allowances allocated under paragraph (d)(1) of this section for emissions reductions necessary to meet a non-unit-specific emissions limitation. Such method may require an end-of-year review and the adjustment of the allowances allocated to the

substitution unit and may require the designated representative of the substitution unit to surrender allowances by the allowance transfer deadline of the year that is subject to the review. Any surrendered allowances shall have the same or an earlier compliance use date as the allowances originally allocated for the year, and the designated representative may identify the serial numbers of the allowances to be deducted. In the absence of such identification, such allowances will be deducted on a first-in, first-out basis under § 73.35(c)(2) of this chapter.

(e) ***

(1) *Emissions Limitations.* (i) Each substitution unit governed by an approved substitution plan shall become a Phase I unit from January 1 of the year for which the plan takes effect until January 1 of the year for which the plan is no longer in effect or is terminated. The designated representative of a substitution unit shall surrender allowances, and the Administrator will deduct allowances, in accordance with paragraph (d)(3) of this section.

3. Section 72.43 is amended by revising paragraphs (a) introductory text, (a)(1) introductory text, (b)(1) introductory text, (b)(1)(ii)(A), (b)(3)(i), (c)(4)(i), (c)(4)(ii), (c)(4)(iv), (d), and (f)(1)(ii) and adding paragraph (a)(2) to read as follows:

§ 72.43 Phase I reduced utilization plans.

(a) Applicability. This section shall apply to the designated representative of:

(1) Any Phase I unit, including:

(2) Any affected unit that:

(i) Is not otherwise subject to any Acid Rain emissions limitation or emissions reduction requirements during Phase I; and

(ii) Meets the requirement, as set forth in paragraphs (c)(4)(ii) and (d) of this section, that for each year for which the unit is to be covered by the reduced utilization plan, the unit's baseline divided by 2,000 lbs/ton and multiplied by the lesser of the unit's 1985 actual SO₂ emissions rate or 1985 allowable SO₂ emissions rate does not exceed the sum of

(A) The lesser of 10 percent of the amount under paragraph (a)(2)(ii) of this section or 200 tons, plus

(B) The unit's baseline divided by 2,000 lbs/ton and multiplied by the lesser of: The greater of the unit's 1989 or 1990 actual SO₂ emissions rate; or, as of November 15, 1990, the most stringent federally enforceable or State

enforceable SO₂ emissions limitation covering the unit for 1995–1999.

(b)(1) The designated representative of any unit under paragraph (a)(1) of this section shall include in the Acid Rain permit application for the unit a reduced utilization plan, meeting the requirements of this section, when the owners and operators of the unit plan to:

* * * * *

(ii) * * *

(A) Shifting generation of the unit to a unit under paragraph (a)(2) of this section or to a sulfur-free generator; or

* * * * *

(3)(i) Improved unit efficiency measures shall be implemented in the unit after December 31, 1987. Such measures include supply-side measures listed in appendix A, section 2.1 of part 73 of this chapter.

* * * * *

(c) * * *

(4) * * *

(i) Identification of each compensating unit or sulfur-free generator.

(ii) For each compensating unit.

(A) Each of the following: The unit's 1985 actual SO₂ emissions rate; the unit's 1985 allowable emissions rate; the unit's 1989 actual SO₂ emissions rate; the unit's 1990 actual SO₂ emissions rate; and, as of November 15, 1990, the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation covering the unit for 1995–1999. For purposes of determining the most stringent emissions limitation, applicable emissions limitations shall be converted to lbs/mmBtu in accordance with appendix B of this part. Where the most stringent emissions limitation is not the same for every year in 1995–1999, the most stringent emissions limitation shall be stated separately for each year.

(B) The unit's baseline divided by 2,000 lbs/ton and multiplied by the lesser of the unit's 1985 actual SO₂ emissions rate or 1985 allowable SO₂ emissions rate.

(C) The unit's baseline divided by 2000 lbs/ton and multiplied by the lesser of: The greater of the unit's 1989 or 1990 actual SO₂ emissions rate; or, as of November 15, 1990, the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation covering the unit for 1995–1999. Where the most stringent emissions limitation is not the same for every year in 1995–1999, the calculation in the prior sentence shall be made separately for each year.

(D) The difference between the amount under paragraph (c)(4)(ii)(B) of

this section and the amount under paragraph (c)(4)(ii)(C) of this section. If the difference calculated in the prior sentence for any year exceeds the lesser of 10 percent of the amount under paragraph (c)(4)(ii)(B) of this section or 200 tons, the unit shall not be designated as a compensating unit for the year. Where the most stringent unit-specific federally enforceable or State enforceable SO₂ emissions limitation is not the same for every year in 1995–1999, the difference shall be calculated separately for each year.

(E) The allowance allocation calculated as the amount under paragraph (c)(4)(ii)(B) of this section. If the compensating unit is a new unit, it shall be deemed to have a baseline of zero and shall be allocated no allowances.

(F) Where, as of November 15, 1990, a non-unit-specific federally enforceable or State enforceable SO₂ emissions limitation covers the unit for any year in 1995–1999, the designated representative shall state each such limitation and propose a method for applying unit-specific and non-unit-specific emissions limitations under paragraph (d) of this section.

* * * * *

(iv) For each compensating unit or sulfur-free generator not in the dispatch system of the unit reducing utilization under the plan, the system directives or power purchase agreements or other contractual agreements governing the acquisition, by the dispatch system, of the electrical energy that is generated by the compensating unit or sulfur-free generator and on which the plan relies to accomplish reduced utilization. Such contractual agreements shall identify the specific compensating unit or sulfur-free generator from which the dispatch system acquires such electrical energy.

* * * * *

(d) *Administrator's Action.* (1) If the Administrator approves the reduced utilization plan, he or she will allocate allowances, as provided in the approved plan, to the Allowance Tracking System account for any designated compensating unit upon issuance of an Acid Rain permit containing the plan, except that, if the plan is conditionally approved, the allowances will be allocated upon revision of the permit to activate the plan.

(2) Where, as of November 15, 1990, a non-unit-specific federally enforceable or State enforceable emissions limitation covers the unit for any year during 1995–1999, the Administrator will specify on a case-by-case basis a method for using unit-specific and non-unit specific emissions limitations in

approving or disapproving the compensating unit. The specified method will not treat a non-unit-specific emissions limitation as a unit-specific emissions limitation and will not result in compensating units retaining allowances allocated under paragraph (d)(1) of this section for emissions reductions necessary to meet a non-unit-specific emissions limitation. Such method may require an end-of-year review and the disapproval and redesignation, and adjustment of the allowances allocated to, the compensating unit and may require the designated representative of the compensating unit to surrender allowances by the allowance transfer deadline of the year that is subject to the review. Any surrendered allowances shall have the same or an earlier compliance use date as the allowances originally allocated for the year, and the designated representative may identify the serial numbers of the allowances to be deducted. In the absence of such identification, such allowances will be deducted on a first-in, first-out basis under § 73.35(c)(2) of this chapter.

* * * * *

(f) * * *

(1) * * *

(ii) The designated representative of any Phase I unit (including a unit governed by a reduced utilization plan relying on energy conservation, improved unit efficiency, sulfur-free generation, or a compensating unit) shall surrender allowances, and the Administrator will deduct or return allowances, in accordance with paragraph (d)(2) of this section and subpart I of this part.

* * * * *

4. Section 72.91 is amended by revising paragraphs (a)(3)(iii) introductory text (formula is unchanged), (a)(3)(iv), (a)(4), (a)(5), (a)(6), and (b)(2) and adding paragraph (a)(7) to read as follows:

§ 72.91 Phase I unit adjusted utilization.

(a) * * *

(3) * * *

(iii) "Shifts to designated sulfur-free generators" is the reduction in utilization (in mmBtu), for the calendar year, that is accounted for by all sulfur-free generators designated under the reduced utilization plan in effect for the calendar year. This term equals the sum, for all such generators, of the "shift to sulfur-free generator." "Shift to sulfur-free generator" shall equal the amount, to the extent documented under paragraph (a)(6) of this section, calculated for each generator using the following formula:

* * * * *

(iv) "Shifts to designated compensating units" is the reduction in utilization (in mmBtu) for the calendar year that is accounted for by increased generation at compensating units designated under the reduced utilization plan in effect for the calendar year. This term equals the heat rate, under paragraph (a)(3) of this section, of the unit reducing utilization multiplied by the sum, for all such compensating units, of the "shift to compensating unit" for each compensating unit. "Shift to compensating unit" shall equal the amount of compensating generation (in Kwh), to the extent documented under paragraph (a)(6) of this section, that the designated representatives of the unit reducing utilization and the compensating unit have certified (in their respective annual compliance certification reports) as the amount that will be converted to mmBtus and used, in accordance with paragraph (a)(4) of this section, in calculating the adjusted utilization for the compensating unit.

(4) "Compensating generation provided to other units" is the total amount of utilization (in mmBtu) necessary to provide the generation (if any) that was shifted to the unit as a designated compensating unit under any other reduced utilization plans that were in effect for the unit and for the calendar year. This term equals the heat rate, under paragraph (a)(3) of this section, of such unit multiplied by the sum of each "shift to compensating unit" that is attributed to the unit in the annual compliance certification reports submitted by the Phase I units under such other plans and that is certified under paragraph (a)(3)(iv) of this section.

(5) Notwithstanding paragraphs (a)(3)(i), (ii), and (iii) of this section, where two or more Phase I units include in "plan reductions", in their annual compliance certification reports for the calendar year, expected kilowatt hour savings or reduction in heat rate from the same specific conservation or improved unit efficiency measures or increased utilization of the same sulfur-free generator:

(i) The designated representatives of all such units shall submit with their annual reports a certification signed by all such designated representatives. The certification shall apportion the total kilowatt hour savings, reduction in heat rate, or increased utilization among such units.

(ii) Each designated representative shall include in the annual report only the respective unit's share of the total kilowatt hour savings, reduction in heat rate, or increased utilization, in accordance with the certification under paragraph (a)(5)(i) of this section.

(6)(i) Where a unit includes in "plan reductions" under paragraph (a)(3) of this section the increase in utilization of any sulfur-free generator, the designated representative of the unit shall submit, with the annual compliance certification report, documentation demonstrating that an amount of electrical energy at least equal to the "shift to sulfur-free generator" attributed to the sulfur-free generator in the annual report was actually acquired by the unit's dispatch system from the sulfur-free generator.

(ii) Where a unit includes in "plan reductions" under paragraph (a)(3) of this section utilization of any compensating unit, the designated

representative of the unit shall submit with the annual compliance certification report, documentation demonstrating that an amount of electrical energy at least equal to the "shift to compensating unit" attributed to the compensating unit in the annual report was actually acquired by the unit's dispatch system from the compensating unit.

(7) Notwithstanding paragraphs (a)(3)(i), (ii), (iii), and (iv), (a)(4), and (a)(5) of this section, "plan reductions" minus "compensating generation provided to other units" shall not exceed "baseline" minus "actual utilization."

(b) * * *

(2) Notwithstanding paragraph (b)(1)(i) of this section, where two or more Phase I units include in the confirmation report the verified kilowatt hour savings or reduction in heat rate from the same specific conservation or improved unit efficiency measures:

(i) The designated representatives of all such units shall submit with their confirmation reports a certification signed by all such designated representatives. The certification shall apportion the total kilowatt hour savings or reduction in heat rate among such units.

(ii) Each designated representative shall include in the confirmation report only the respective unit's share of the total savings or reduction in heat rate in accordance with the certification under paragraph (b)(2)(i) of this section.

* * * * *

[FR Doc. 94-28708 Filed 11-21-94; 8:45 am]

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Tuesday
November 22, 1994

Part V

**Environmental
Protection Agency**

40 CFR Part 72

Acid Rain Program: Permits; Final Rule

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 72**

[FRL-5109-6]

RIN 2060-AF55

Acid Rain Program: Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Title IV of the Clean Air Act, as amended by Public Law 101-549, the Clean Air Act Amendments of 1990 (the Act), authorizes the Environmental Protection Agency (EPA or Agency) to establish the Acid Rain Program. On January 11, 1993, the Agency promulgated final rules under title IV. Several parties filed petitions for review of the rules. On August 10, 1994, EPA and other parties signed a settlement agreement addressing certain substitution plan issues.

Based on a review of the record, the Agency concludes that the January 11, 1993 regulations concerning the eligibility of units to be designated as substitution units should be revised. Under sections 404(b) and (c) of the Act, a unit that is not listed in Table A of section 404 as being subject to Phase I of the Acid Rain Program (i.e., a non-Table A unit) and that is under the control of the owner or operator of a unit listed in Table A of section 404 (i.e., a Table A unit) may be designated as a substitution unit. The January 11, 1993 regulations state that the Table A unit and each non-Table A unit that the Table A unit designates as a substitution unit must have "the same owner or operator." The Agency is revising the regulations in order to specify more clearly the circumstances under which the statutory "control" requirement for substitution plans is met. The rule revision is being issued as a direct final rule because it is consistent with the August 10, 1994 settlement and no adverse comment is expected.

EFFECTIVE DATE: This direct final rule will be effective on January 3, 1995 unless significant, adverse comments are received by December 22, 1994. If significant, adverse comments are timely received on any provision of the direct final rule, that provision of the direct final rule will be withdrawn through a document in the *Federal Register*.

ADDRESSES: Docket No. A-93-40, containing supporting information used to develop the proposal, copies of all comments received, and responses to comments, is available for public

inspection and copying from 8:30 a.m. to 12 p.m. and 1 p.m. to 3:30 p.m., Monday through Friday, excluding legal holidays, at EPA's Air Docket Section (LE-131), Waterside Mall, room 1500, 1st floor, 401 M Street, SW., Washington DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Dwight C. Alpern, Attorney-advisor, at (202) 233-9151, Acid Rain Division (6204J), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, or the Acid Rain Hotline at (202) 233-9620.

SUPPLEMENTARY INFORMATION: All public comment received on any provision of this direct final rule on which significant, adverse comments are timely received will be addressed in a subsequent final rule based on the relevant portions of the rule revision that is noticed as a proposed rule in the **Proposed Rules Section** of this *Federal Register* and that is identical to this direct final rule.

The contents of the preamble to the final rule are as follows:

- I. Control Requirement for Designating Substitution Units
- II. Modifications of the January 11, 1993 Regulation Concerning the Control Requirement for Substitution Units
 - A. Control by Common Owner or Operator
 - B. Control by Contract
 - C. Plan Termination if Control Requirement is no Longer Met
- III. Administrative Requirements
 - A. Docket
 - B. Executive Order 12866
 - C. Paperwork Reduction Act
 - D. Regulatory Flexibility Act
 - E. Miscellaneous

I. Control Requirement for Designating Substitution Units

Sections 404(b) and (c) of the Act set forth the requirements for submission and approval of substitution plans, under which a unit listed on Table A of section 404 designates one or more non-Table A units as substitution units and brings them into Phase I of the Acid Rain Program. Congress established substitution plans as a compliance option to increase units' compliance flexibility and reduce their overall costs of compliance in Phase I while still achieving the emissions reductions intended by Congress under title IV. See 58 FR 60950-60951 (Nov. 18, 1993).

A substitution plan allows the owner or operator of a Table A unit to reassign the unit's emissions reduction obligations to a designated non-Table A unit "under the control of" that owner or operator. 42 U.S.C. 7651c(b). Upon approval of the reassignment, the non-Table A unit becomes subject to all requirements for Phase I units with

regard to sulfur dioxide and is allocated allowances. Emissions reductions by the non-Table A unit may therefore free up allowances, which may be used by the Table A unit (or any other unit) in lieu of making emissions reductions.

Section 71.41 of the January 11, 1993 regulations provided that the statutory requirement of control by the Table A unit's owner or operator over the non-Table A unit is satisfied where such units have "the same owner or operator." 40 CFR 72.41(b)(1)(i) (1993). The regulation also provided that having the same designated representative would be treated as having the same operator and would thus meet the control requirement. *Id.*; see also 58 FR 3600. On March 12, 1993, petitions for review of the January 11, 1993 regulations were filed with the U.S. Court of Appeals for the District of Columbia Circuit. Several petitioners challenged the provisions implementing the control requirement.

On November 18, 1993, the Agency issued proposed revisions to the January 11, 1993 regulations, including the provisions concerning the control requirement. The Agency proposed to reverse its interpretation that having a common designated representative alone meets the statutory control requirement for substitution plans and to revise the regulations accordingly. 58 FR 60957-60958. Several commenters addressed the control requirement in their comments on the November 18, 1993 proposal. Some commenters opposed any change in the January 11, 1993 provisions concerning the control requirement.

Other commenters noted that, although § 72.41(b)(1)(i) requires that the substitution and Table A units have "the same owner or operator" (40 CFR 72.41(b)(1)(i) (1993)), section 404(b) of the Act requires that the substitution unit be under the control of the Table A unit owner or operator. They argued that, in implementing section 404(b) and (c), the Agency should also focus on whether there is such control. They suggested that common ownership of the units is not necessarily determinative of whether the control requirement is met. They alleged that where the units have multiple owners only one of which is in common, the control requirement may not be met, e.g., where the common owner owns only a very small percentage of the proposed substitution unit. On the other hand, where the units lack any common owner or operator, the control requirement allegedly may be met through contractual arrangements under which the owner and operator of the substitution unit commit, *inter alia*, to

make emissions reductions and deliver allowances to the owner and operator of the Phase I unit.

In a separate final rule in this *Federal Register*, the Agency adopted the reasoning, set forth in the November 18, 1993 preamble (58 FR 60957-60958) and in the preamble of the Acid Rain regulations on nitrogen oxides (59 FR 13554-13555 (Mar. 22, 1994)), that a designated representative is not, merely by holding that position, also an operator. In that separate final rule, the Agency revised the January 11, 1993 regulations to use the statutory language requiring control by the Table A unit owner or operator and to provide that having a common designated representative does not alone meet the control requirement for substitution units. However, the Agency did not address in that separate document comments raising issues concerning: under what circumstances the existence of one or more common owners satisfies the control requirement; and whether and, if so, under what circumstances control can be established by contract if there are no common owners or common operators. The Agency addresses below those issues and the comments on those issues.

II. Modifications of the January 11, 1993 Regulation Concerning the Control Requirement for Substitution Units

A. Control by Common Owner or Operator

Section 404(b) of the Act allows that the "owner or operator" of a Table A unit to designate, as a substitution unit, a non-Table A unit "under the control of such owner or operator." 42 U.S.C. 7651c(b). The Agency agrees with commenters that, like section 404(b), the regulation implementing that section should focus on whether such control exists.

Because many units have multiple owners with varying percentages of ownership, there is a wide range of possible relationships between a Table A unit and a non-Table A unit, ranging, for example, from no common ownership to 100% common ownership and including all the possible variations in between. In order to avoid burdensome case-by-case determinations of whether each particular set of facts meets the control requirement and in order to provide more certainty for utilities and the public concerning what units qualify for inclusion in substitution plans, the Agency is establishing generic criteria for applying the control requirement. Further, the generic criteria are based on the potential ability of owners and

operators to exercise control, not the actual exercise of such control potential. Determining what entities actually make decisions governing the operation of a unit could require the Agency to make lengthy case-by-case inquiries into the details of utility operations and involve the Agency in matters beyond its expertise.

In taking this approach, the Agency maintains that section 404(b) should be interpreted to require that owners or operators of a Table A unit have the ability to exercise a significant degree of control over a non-Table A unit. The simplest case for applying this requirement is where the Table A and non-Table A units have only a single owner or where, regardless of their ownership, the units have a common operator. Under these circumstances, it seems clear that the single owner or the operator of the Table A unit has the ability to control the non-Table A unit.

For units with multiple owners, the application of the control requirement becomes somewhat more complex if they do not have a common operator. If one or more owners and operators of a Table A unit own an aggregate share of 50% or more of the capacity of a non-Table A unit, no major decisions concerning the unit can be made without the concurrence of such Table A unit owners and operators. The Agency maintains, therefore, that they can control the non-Table A unit to a significant extent and meet the control requirement.

Even where the aggregate ownership share of the one or more owners and operators of a Table A unit in a non-Table A unit is less than 50%, the degree of control may still be significant. Such control is evidenced by the ability of such non-Table A unit owners to determine the dispatch of their respective shares of electricity generated by the non-Table A unit. Decisions by such owners whether or not to take their shares of generation can significantly affect the overall operation of the unit. While the Agency recognizes that adopting a minimum level of ownership in the non-Table A unit for meeting the control requirement is necessarily somewhat arbitrary, the Agency maintains that, as a matter of logic, there is some level of ownership below which the owners lack significant control. Further, establishing such a minimum level of ownership discourages gaming through the acquisition of minute ownership shares simply to enable the new owner to qualify the non-Table A unit as a substitution unit.

The Agency believes that an aggregate ownership interest of 10% or more, and

less than 50%, of the capacity of the non-Table A unit meets the control requirement, provided that such owners have the ability to determine how their respective shares of the non-Table A unit's generation are dispatched. The Agency notes that, in some regions of the country, utilities have entered into power pool agreements under which the utilities agree to centralize in the power pool the dispatch of their units. Power pools with central economic dispatch enable member utilities to minimize operating costs through the use of the units in the pool that have the lowest generation costs. In light of the important benefits of such power pools, the Agency maintains that utilities in power pools should not be disadvantaged under section 404(b). Consequently, the determination of whether owners of a non-Table A unit have, by right of contract, the ability to dispatch their respective shares of the unit's generation should be made without regard to whether owners that had contractual dispatch authority have surrendered that authority to a power pool.

In sum, the Agency is establishing generic criteria for determining whether the control requirement under section 404(b) is met. The first category that meets this requirement is where one or more owners or operators of a Table A unit have an aggregate ownership interest of 50% or more in the non-Table A unit or where the two units have a common operator.¹ The second category that meets the control requirement is where: a Table A and non-Table A unit lack a common operator; one or more owners or operators of a Table A unit have an aggregate ownership interest of 10% or more and less than 50% in the non-Table A unit; and such owners or operators have the contractual ability to determine the dispatch of their respective shares of the non-Table A unit's generation. The final regulation requires the designated representatives submitting substitution plans to state in the submission what category is applicable to the units in the plan and to provide, upon request, documentation supporting such statements. These statements, like all information included in submissions by the designated representative, are covered by the certification required under § 72.21(b) concerning the truth,

¹ In summing the ownership shares of individual Table A unit owners and operators in the capacity of a non-Table unit, a given share, and the generation associated with such share, obviously cannot be double-counted. Otherwise, the sum of the ownership shares of all persons owning a non-Table A unit could exceed 100%.

accuracy, and completeness of the statements.

B. Control by Contract

The Agency agrees that, under certain circumstances, control over a substitution unit by the owners and operators of the Table A unit may be established by contract where the above-described criteria based on a common operator or the level of common ownership are not met. The contract must be a binding agreement between the owners and operators of a Table A unit and the owners and operators of the non-Table A unit that is designated as the Table A unit's substitution unit. Several commenters supported an interpretation of section 404(b) that would allow the control requirement to be met through a contract. The final regulation specifies the circumstances under which the Administrator will find that control is established by contract.

Several determinations have guided the Agency's development of the regulation concerning control by contract. First, the Agency believes that the regulation should set forth detailed, generic requirements for establishing control by contract. Leaving the specification of detailed requirements to case-by-case development would increase the burden both on the owners and operators interested in submitting contract-based substitution plans and on the Agency, which must review such submissions. A commenter supporting the approval of contract-based substitution plans suggested that the Agency develop generic criteria.

Second, the Agency believes that the control requirement of section 404(b) of the Act should be interpreted in light of the emissions reduction goals of title IV. The Agency maintains that a determination of whether control is established by contract should focus on whether the owners and operators of the Table A unit have the ability, under the contract, to require emissions reductions by the non-Table A unit and thereby to affect the overall operation of the unit. It is not necessary in this context for the Table A unit's owners and operators to have contractual authority over all facets of the non-Table A unit's day-to-day operations.

Third, if the control requirement is to be met by simply showing that Table A unit owners and operators have the ability, by contract, to require emissions reductions by the non-Table A unit, the Agency maintains that the contract must require emissions reductions that are significant, new reductions that would not otherwise have been implemented by the non-Table A unit. It is difficult to see how control could be

demonstrated if a contract with a Table A unit merely required a non-Table A unit to "make" reductions that the non-Table A unit had already implemented, was already in the process of implementing, or would have implemented even in the absence of the contract. Further, because a unit might be able to realize relatively minor reductions while making little change in its operations, the scale of the reductions required by contract should be significant in order to demonstrate control of the non-Table A unit by owners and operators that otherwise lack any operational responsibilities for that unit. A commenter suggested that the contract between the Table A and non-Table A units should specify a percentage emissions rate reduction that the non-Table A unit is required to achieve.

To ensure that the contract requires significant, new reductions by the non-Table A unit, the final regulation requires that the contract establish a maximum annual average SO₂ emissions rate for the unit. The maximum emissions rate must be less than or equal to 70% of the lesser of the following emissions rates for the non-Table A unit: the 1985 actual SO₂ emissions rate; the 1985 allowable SO₂ emissions rate; the greater of the 1989 or 1990 actual SO₂ emissions rate; the most stringent federally enforceable or State enforceable SO₂ emissions limitation, as of November 15, 1990, applicable in Phase I; and the lesser of the average actual SO₂ emissions rate or the most stringent federally enforceable or State enforceable SO₂ emissions limitation for the four-quarter period immediately preceding the submission of the contract-based substitution plan.² The latter set of emissions rates (i.e., the current actual and allowable rates) are included to ensure that the required reduction in the unit's emissions rate is at least 30% of the emissions rate achieved, or required to be achieved, by the non-Table A unit around the time of the submission of the substitution plan. The other emissions rates (i.e., those for 1985, 1989, 1990, and Phase I) are used to ensure that the current actual or

² Some units are subject to a non-unit-specific emissions limit (e.g., a utility-wide emissions tonnage or rate limit). The final regulation provides that if such a unit is designated as a substitution unit in a contract-based substitution plan, the Administrator will determine on a case-by-case basis how to apply the non-unit-specific limit in setting the maximum annual SO₂ emissions rate. If a non-unit-specific Federal limit was in effect and applicable to the unit in 1985, that limit is already reflected in the 1985 allowable SO₂ emissions rate (in the National Allowance Data Base), which will be treated as representing the non-unit-specific Federal limit.

allowable rate does not represent a spike in the emissions rate achieved by or required for the unit since 1985.³ A commenter supported using all of these emissions rates to set a maximum emissions rate for the non-Table A unit.

The Agency maintains that a 30% reduction in the emissions rate that the non-Table A unit would otherwise achieve represents a significant reduction. A commenter supporting approval of contract-based substitution plans asserted that it has identified about 30 Phase II units that lack a common owner or operator with a Table A unit and for which such plans would be economically feasible. The commenter stated that this group of units could reduce their current emissions rates by 50 to 70% and indicated that a 30% reduction might be an acceptable requirement for approval of this type of substitution plan.

As a further means of ensuring that the non-Table A unit's reductions are new, the final regulation requires that the contract-based substitution plan include a description of the actions that will be undertaken so that the non-Table A unit will comply with the maximum emissions rate. Such actions may include, for example, the addition or modification of a scrubber or fuel switching. The owners and operators of the Table A and non-Table A units must show that the described actions will not be implemented in Phase I unless the non-Table A unit is approved as a substitution unit. The description of the actions that will be taken must be sufficiently detailed so that the Agency can determine whether the showing has been made. Information relevant to the showing includes, *inter alia*, whether contracts implementing these actions were entered into before submission of the substitution plan. Under the regulation, the owners and operators must implement the described actions but may seek to amend the substitution plan to change the required actions.

In general, the Agency maintains that it is difficult to make determinations, particularly in a large number of cases, of whether owners and operators will take certain future actions in the absence of a substitution plan. However, the Agency must make a determination of this type in reviewing the actions described in each contract-based substitution plan in order to make sure that the non-Table A unit is really obligated to make new reductions. This

³ For the reasons set forth in a separate final rule in this Federal Register, these other emissions rates are also used to allocate allowances for any substitution unit and to ensure that allowances are not allocated for emissions reductions that would have been made without a substitution plan.

will be a one-time determination made when the plan is approved (or disapproved) unless the designated representative subsequently seeks to modify the description of actions in the plan. Further, the Agency does not expect a large number of contract-based substitution plans to be submitted. As noted above, commenters have identified only about 30 units for which such a plan would be economic.

Fourth, it is important to ensure that the contract imposes an effective emissions reduction requirement—i.e., a requirement that is likely to be enforced by Table A unit owners and operators claiming control of the non-Table A unit. Consequently, the contract should include a meaningful remedy in the event that the required emissions reductions are not achieved. The concept of requiring a meaningful remedy in the event of default was supported by a commenter.

If the Table A unit owners and operators must surrender allowances to the Administrator to the extent that the non-Table A unit fails to make the required emissions reductions, then the Table A owners and operators will bear responsibility for the reductions that they claim to control and will have the incentive to take actions to ensure achievement of the reductions. This puts the Table A owners and operators in a position similar to that of owners and operators that control a unit directly by owning or operating the unit. If, instead of such allowance surrender by the Table A unit, the non-Table A unit had to give allowances to the Table A unit (or to the Agency), then the Table A unit owners and operators would bear no responsibility for the non-Table A unit that they claim to control. Further, without elaborate limitations on the transfer of allowances between the Table A and non-Table A units, there would be no way of preventing the units from arranging a future return to the non-Table A unit of any allowances surrendered by the non-Table A unit to the Table A unit.

Under the final regulation, if the non-Table A unit fails to comply with the maximum emissions rate during the year, the Table A unit owners and operators must surrender a number of allowances equal to the non-Table A unit's baseline multiplied by the difference between the actual emissions rate for the year and the maximum emissions rate. This approach segregates out the effect of utilization changes and leaves such changes to be handled under the reduced utilization and allowance surrender provisions (e.g., §§ 72.43, 72.91, and 72.92) applicable to all Phase I units. The surrendered

allowances must have the same or an earlier compliance use date as the allowances allocated to the non-Table A unit for the year, and the surrender must be made on or before the allowance transfer deadline. In order to encourage early reductions at non-Table A units and innovative approaches to achieving such reductions, the surrender and deduction of allowances will be the only remedy under the Act for failure to meet the maximum emissions rate. Of course, the deduction of allowances for failure to achieve the maximum emissions rate may result in a unit having insufficient allowances to cover its annual emissions, and the full panoply of remedies for excess emissions will then apply.

Finally, in order to facilitate the Table A unit owners' and operators' exercise of control and the Agency's review and enforcement, where necessary, of the substitution plan, the units involved should have a common designated representative. A commenter supported the need for a common designated representative for this type of substitution plan.⁴ The final regulation provides that the requirement to have a common designated representative is not met by simply having a common alternate designated representative. This is because, as explained in the preamble of the November 18, 1993 proposed rule, an alternate designated representative does not carry the same level of responsibilities as, and thus is not equivalent to, a designated representative. 58 FR 60958.

C. Plan Termination if Control Requirement is no Longer met

The January 11, 1993 regulations provide that where, as a result of ownership or other changes, the units in a substitution plan no longer meet the common owner or operator requirement in those regulations, the substitution plan must be terminated. The final regulation adopted here takes a similar approach. If there are changes that result in the control requirement no longer being met, the designated representative must terminate the plan, whether the plan is based on common owners or operators or on a contract. The Administrator may, on his or her own motion, terminate the plan under such circumstances.

⁴ The commenter also suggested that the non-Table A owners and operators be required to submit quarterly and annual reports to the Table A unit owners and operators and to indemnify such owners and operators for any violations at the non-Table A unit. These requirements are not in the final rule because the Agency believes that these matters are not central to the issue of control and are better left to the owners and operators of the two units.

The only exception to this requirement is for substitution plans approved, and included in final permits issued, under the January 11, 1993 regulations and the Partial Settlement in *Environmental Defense Fund v. Carol M. Browner*, No. 93-1203 (D.C. Cir. 1993) (signed May 4, 1994). So long as the Table A and non-Table A units under each plan continue to meet the common owner, operator, or designated representative requirement in the January 11, 1993 regulations, such plans will not be terminated for the first year (and, in some cases, for the second year) for which the substitution unit received a total number of allowances equal to the number provided in those regulations. This exception is consistent with both the May 4, 1993 settlement and the Second Partial Settlement in *Environmental Defense Fund v. Carol M. Browner*, No. 93-1203 (D.C. Cir. 1993) (signed August 10, 1994). The Agency maintains that both settlements reasonably resolve the substitution plan issues raised in the litigation, including the issues relating to the control requirement.

III. Administrative Requirements

A. Docket

The docket is the organized and complete file of all the information considered by EPA in the development of this rulemaking. Along with the preamble of the direct final rule, the contents of the docket—except for interagency review materials—will constitute the record in case of judicial review. See 42 U.S.C. 7607(d)(7)(A).

B. Executive Order 12866

Under Executive Order 12866, 58 FR 51735 (Oct. 4, 1993), the Administrator must determine whether the regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a "significant regulatory action" because the rule seems to raise novel legal or policy issues. As such, this action was submitted to OMB for review. Any changes made in response to OMB suggestions or recommendations are documented in the public record. Any written comments from OMB to EPA and any written EPA response to those comments are included in the docket. The docket is available for public inspection at the EPA's Air Docket Section, which is listed in the ADDRESSES section of this preamble.

C. Paperwork Reduction Act

The information collection requirements in this rule have been approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*, and have been assigned control number 2060-0258.

This collection of information has an estimated burden averaging 17.5 to 28 hours per response for about 43 responses. These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

An Information Collection Request document and estimates of the public reporting burden were prepared in connection with the January 11, 1993 regulations. 56 FR 63098; 58 FR 3650. The regulation modifications contained in this document will not significantly change the reporting burden that was previously estimated.

Send comments regarding this burden analysis or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, Information Policy Branch, EPA, 401 M Street, SW., (Mail Code 2136), Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

D. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, requires each Federal agency to consider potential impacts of its regulations on small business "entities." Under 5 U.S.C. 604(a), an agency issuing a notice of proposed rulemaking must prepare and make available for public comment a regulatory flexibility analysis. Such an

analysis is not required if the head of an agency certifies that a rule will not have a significant economic impact on a substantial number of small entities, pursuant to 5 U.S.C. 605(b).

In the preamble of the January 11, 1993 regulations, the Administrator certified that those regulations, including the provisions revised by today's final rule, would not have a significant impact. 58 FR 3649. The final rule revisions adopted today are not significant enough to change the economic impact addressed in the preamble of the January 11, 1993 regulations, which were certified as not having a significant impact. Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the revised rule will not have a significant, adverse impact on a substantial number of small entities.

E. Miscellaneous

In accordance with section 117 of the Act, publication of this rule was preceded by consultation with any appropriate advisory committees, independent experts, and Federal departments and agencies.

List of Subjects in 40 CFR Part 72

Environmental protection, Acid rain, Air pollution control, Electric utilities, Permits, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: November 14, 1994.

Carol M. Browner,
Administrator.

For the reasons set forth in the preamble, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

PART 72—[AMENDED]

1. The authority citation for part 72 continues to read as follows:

Authority: 42 U.S.C. 7601 and 7651 *et seq.*

2. Section 72.41 is amended by revising paragraphs (c)(5) and (e)(3)(iv) and adding paragraphs (c)(6), (c)(7), and (e)(1)(iii) to read as follows:

§ 72.41 Phase I substitution plans.

* * * * *

(c) * * *

(5) A demonstration that the substitution plan meets the requirement that each unit under paragraph (a)(2) of this section is under the control of the owner or operator of each unit under paragraph (a)(1) of this section that designates the unit under paragraph (a)(2) of this section as a substitution unit. The demonstration shall be one of the following:

(i) If the unit under paragraph (a)(1) of this section has one or more owners

or operators that have an aggregate percentage ownership interest of 50 percent or more in the capacity of the unit under paragraph (a)(2) of this section or the units have a common operator, a statement identifying such owners or operators and their aggregate percentage ownership interest in the capacity of the unit under paragraph (a)(2) of this section or identifying the units' common operator. The designated representative shall submit supporting documentation upon request by the Administrator.

(ii) If the unit under paragraph (a)(1) of this section has one or more owners or operators that have an aggregate percentage ownership interest of at least 10 percent and less than 50 percent in the capacity of the unit under paragraph (a)(2) of this section and the units do not have a common operator, a statement identifying such owners or operators and their aggregate percentage ownership interest in the capacity of the unit under paragraph (a)(2) of this section and stating that each such owner or operator has the contractual right to direct the dispatch of the electricity that, because of its ownership interest, it has the right to receive from the unit under paragraph (a)(2) of this section. The fact that the electricity that such owner or operator has the right to receive is centrally dispatched through a power pool will not be the basis for determining that the owner or operator does not have the contractual right to direct the dispatch of such electricity. The designated representative shall submit supporting documentation upon request by the Administrator.

(iii) A copy of an agreement that is binding on the owners and operators of the unit under paragraph (a)(2) of this section and the owners and operators of the unit under paragraph (a)(1) of this section, provides each of the following elements, and is supported by documentation meeting the requirements of paragraph (c)(6) of this section:

(A) The owners and operators of the unit under paragraph (a)(2) of this section must not allow the unit to emit sulfur dioxide in excess of a maximum annual average SO₂ emissions rate (in lbs/mmBtu), specified in the agreement, for each year during the period that the substitution plan is in effect.

(B) The maximum annual average SO₂ emissions rate for the unit under paragraph (a)(2) of this section shall not exceed 70 percent of the lesser of: the unit's 1985 actual SO₂ emissions rate; the unit's 1985 allowable SO₂ emissions rate; the greater of the unit's 1989 or 1990 actual SO₂ emissions rate; the most stringent federally enforceable or State

enforceable SO₂ emissions limitation, as of November 15, 1990, applicable to the unit in Phase I; or the lesser of the average actual SO₂ emissions rate or the most stringent federally enforceable or State enforceable SO₂ emissions limitation for the unit for four consecutive quarters that immediately precede the 30-day period ending on the date the substitution plan is submitted to the Administrator. If the unit is covered by a non-unit-specific federally enforceable or State enforceable SO₂ emissions limitation in the four consecutive quarters or, as of November 15, 1990, in Phase I, the Administrator will determine, on a case-by-case basis, how to apply the non-unit-specific emissions limitation for purposes of determining whether the maximum annual average SO₂ emissions rate meets the requirement of the prior sentence. If a non-unit-specific federally enforceable SO₂ emissions limitation is not different from a non-unit-specific federally enforceable SO₂ emissions limitation that was effective and applicable to the unit in 1985, the Administrator will apply the non-unit-specific SO₂ emissions limitation by using the 1985 allowable SO₂ emissions rate.

(C) For each year that the actual SO₂ emissions rate of the unit under paragraph (a)(2) of this section exceeds the maximum annual average SO₂ emissions rate, the designated representative of the unit under paragraph (a)(1) of this section must surrender allowances for deduction from the Allowance Tracking System account of the unit under paragraph (a)(1) of this section. The designated representative shall surrender allowances authorizing emissions equal to the baseline of the unit under paragraph (a)(2) of this section multiplied by the difference between the actual SO₂ emissions rate of the unit under paragraph (a)(2) of this section and the maximum annual average SO₂ emissions rate and divided by 2000 lbs/ton. The surrender shall be made by the allowance transfer deadline of the year of the exceedance, and the surrendered allowances shall have the same or an earlier compliance use date as the allowances allocated to the unit under paragraph (a)(2) of this section for that year. The designated representative may identify the serial numbers of the allowances to be deducted. In the absence of such identification, allowances will be deducted on a first-in, first-out basis under § 73.35(c)(2) of this chapter.

(D) The unit under paragraph (a)(2) of this section and the unit under paragraph (a)(1) of this section shall

designate a common designated representative during the period that the substitution plan is in effect. Having a common alternate designated representative shall not satisfy the requirement in the prior sentence.

(E) Except as provided in paragraph (c)(6)(i) of this section, the actual SO₂ emissions rate for any year and the average actual SO₂ emissions rate for any period shall be determined in accordance with part 75 of this chapter.

(6) A demonstration under paragraph (c)(5)(iii) of this section shall include the following supporting documentation:

(i) The calculation of the average actual SO₂ emissions rate and the most stringent federally enforceable or State enforceable SO₂ emissions limitation for the unit for the four consecutive quarters that immediately preceded the 30-day period ending on the date the substitution plan is submitted to the Administrator. To the extent that the four consecutive quarters include a quarter prior to January 1, 1995, the SO₂ emissions rate for the quarter shall be determined applying the methodology for calculating SO₂ emissions set forth in appendix C of this part. This methodology shall be applied using data submitted for the quarter to the Secretary of Energy on United States Department of Energy Form 767 or, if such data has not been submitted for the quarter, using the data prepared for such submission for the quarter.

(ii) A description of the actions that will be taken in order for the unit under paragraph (a)(2) of this section to comply with the maximum annual average SO₂ emissions rate under paragraph (c)(5)(iii) of this section.

(iii) A description of any contract for implementing the actions described in paragraph (c)(6)(ii) of this section that was executed before the date on which the agreement under paragraph (c)(5)(iii) of this section is executed. The designated representative shall state the execution date of each such contract and state whether the contract is expressly contingent on the agreement under paragraph (c)(5)(iii) of this section.

(iv) A showing that the actions described under paragraph (c)(6)(ii) of this section will not be implemented during Phase I unless the unit is approved as a substitution unit.

(7) The special provisions in paragraph (e) of this section.

(e) * * *

(1) * * *

(iii) Where an approved substitution plan includes a demonstration under

paragraphs (c)(5)(iii) and (c)(6) of this section.

(A) The owners and operators of the substitution unit covered by the demonstration shall implement the actions described under paragraph (c)(6)(ii) of this section, as adjusted by the Administrator in approving the plan or in revising the permit. The designated representative may submit proposed permit revisions changing the description of the actions to be taken in order for the substitution unit to achieve the maximum annual average SO₂ emissions rate under the approved plan and shall include in any such submission a showing that the actions in the changed description will not be implemented during Phase I unless the unit remains a substitution unit. The permit revision will be treated as an administrative amendment, except where the Administrator determines that the change in the description alters the fundamental nature of the actions to be taken and that public notice and comment will contribute to the decision-making process, in which case the permit revision will be treated as a permit modification or, at the option of the designated representative, a fast-track modification.

(B) The designated representative of the unit under paragraph (a)(1) of this section shall surrender allowances, and the Administrator will deduct allowances, in accordance with paragraph (c)(5)(iii)(C) of this section. The surrender and deduction of allowances as required under the prior sentence shall be the only remedy under the Act for a failure to meet the maximum annual average SO₂ emissions rate, provided that, if such deduction of allowance results in excess emissions, the remedies for excess emissions shall be fully applicable.

(3) * * *

(iv)(A) If there is a change in the ownership interest of the owners or operators of any unit under a substitution plan approved as meeting the requirements of paragraph (c)(5)(i) or (ii) of this section or a change in such owners' or operators' right to direct dispatch of electricity from a substitution unit under such a plan and the demonstration under paragraph (c)(5)(i) or (ii) of this section cannot be made, then the designated representatives of the units governed by this plan shall submit a notification to terminate the plan so that the plan will terminate as of January 1 of the calendar year during which the change is made.

(B) Where a substitution plan is approved as meeting the requirements

of paragraph (c)(5)(iii) of this section, if there is a change in the agreement under paragraph (c)(5)(iii) of this section and a demonstration that the agreement, as changed, meets the requirements of paragraph (c)(5)(iii) cannot be made, then the designated representative of the units governed by the plan shall submit a notification to terminate the plan so that the plan will terminate as of January 1 of the calendar year during which the change is made. Where a substitution plan is approved as meeting the requirements of paragraph (c)(5)(iii) of this section, if the requirements of the first sentence of paragraph (e)(1)(iii)(A) of this section are not met during a calendar year, then the designated representative of the units governed by the plan shall submit a notification to terminate the plan so that the plan will terminate as of January 1 of such calendar year.

(C) If the plan is not terminated in accordance with paragraphs (e)(3)(iv)(A) or (B) of this section, the Administrator, on his or her own motion, will terminate the plan and deduct the

allowances required to be surrendered under paragraph (e)(3)(ii) of this section.

(D) Where a substitution unit and the Phase I unit designating the substitution unit in an approved substitution plan have a common owner, operator, or designated representative during a year, the plan shall not be terminated under paragraphs (e)(3)(iv)(A), (B), or (C) of this section with regard to the substitution unit if the year is as specified in paragraph (e)(3)(iv)(D)(1) or (2) of this section and the unit received from the Administrator for the year, under the Partial Settlement in *Environmental Defense Fund v. Carol M. Browner*, No. 93-1203 (D.C. Cir. 1993) (signed May 4, 1993), a total number of allowances equal to the unit's baseline multiplied by the lesser of the unit's 1985 actual SO₂ emissions rate or 1985 allowable SO₂ emissions rate.

(1) Except as provided in paragraph (e)(3)(iv)(D)(2) of this section, paragraph (e)(3)(iv)(D) of this section shall apply to the first year in Phase I for which the unit is and remains an active substitution unit.

(2) If the unit has a Group 1 boiler under part 76 of this chapter and is and

remains an active substitution unit during 1995, paragraph (e)(3)(iv)(D) of this section shall apply to 1995 and to the second year in Phase I for which the unit is and remains an active substitution unit.

(3) If there is a change in the owners, operators, or designated representative of the substitution unit or the Phase I unit during a year under paragraph (e)(3)(iv)(D)(1) or (2) of this section and, with the change, the units do not have a common owner, operator, or designated representative, then the designated representatives for such units shall submit a notification to terminate the plan so that the plan will terminate as of January 1 of the calendar year during which the change is made. If the plan is not terminated in accordance with the prior sentence, the Administrator, on his or her own motion, will terminate the plan and deduct the allowances required to be surrendered under paragraph (e)(3)(ii) of this section.

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